Washington, Tuesday, July 7, 1959

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS —

PART 421—GRAINS AND RELATED COMMODITIES

Notice With Respect to Determination of Amount of Deduction of Warehouse Storage Charges Under 1959-Crop Price Support Programs for Certain Grains

The 1959-crop price support program regulations in effect for barley, corn, flaxseed, grain sorghums, oats, rye, soybeans and wheat provide that unless there is written evidence that the storage charges have been prepaid through maturity date, a deduction for storage must be made from the support rate for the period of time beginning on the date of deposit of the commodity as shown on the warehouse receipt or the date of the warehouse receipt if the date of deposit is not shown, in determining the amount of the loan or purchase price.

In some instances, storage charges against holders of the warehouse receipt do not start until sometime subsequent to either the date of deposit of the commodity or the date of the warehouse receipt. Notwithstanding the foregoing provisions of such regulations if the date the storage charges start against the holders of the warehouse receipt is shown on the warehouse receipt and such date is prior to the maturity date of loans for the commodity, the deduction for storage in computing the amount of the loan or purchase price shall be for the period from the date storage charges start against holders of the warehouse receipt through the loan maturity date. In arriving at the support rate, the amount of the deduction for storage shall be determined in accordance with the schedule of storage charges shown in the applicable 1959 crop commodity price support program bulletins supplementing CCC Grain Price Support Bulletin 1 (23 F.R. 9651).

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 101, 105, 203, 301, 401, 63 Stat. 1051, 1053, 1054, as amended, 15 U.S.C. 714c; 7 U.S.C. 1421, 1441, 1442, 1446d, 1447)

Note: This notice amends § 421.4084, 24 F.R. 3027; § 421.4144, 24 F.R. 4199; § 421.4484, 24 F.R. 3036; § 421.4234, 24 F.R. 3031; § 421.4284, 24 F.R. 2933; § 421.4384, 24 F.R. 2937; § 421.4434, 24 F.R. 4128; § 421.4044, 24 F.R. 1633.

Issued this 30th day of June 1959.

CLARENCE D. PALMBY, Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 59-5604; Filed, July 6, 1959; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 728-WHEAT

Subpart—1960-61 Marketing Year
COUNTY ACREAGE ALLOTMENTS FOR 1960
CROP

§ 728.1006 Basis and purpose.

The county acreage allotments for 1960 crop wheat contained herein have been determined under section 334 of the Agricultural Adjustment Act of 1938, as amended. The purpose is to apportion among the counties of each State the respective State wheat acreage allotments for 1960 as established by the proclamation dated June I, 1959 (24 F.R. 4507).

Section 334(b) of the Agricultural Adjustment Act of 1938, as amended, provides that the State acreage allotments for wheat, less a reserve of not to exceed 3 per centum thereof for apportionment to farms on which wheat has not been planted during any of the three marketing years immediately preceding the marketing year in which the allotment

(Continued on next page)

Ĺ	CONTENTS	
	Agricultural Marketing Service	Page
•	Proposed rule making:	
7	Lamb, yearling, mutton, and mutton carcasses; U.S. stand-	
1	ards	5478
,	Milk in the Philadelphia, Pa., marketing area	5479
;	Rules and regulations:	0
1	Lemons grown in California and Arizona; limitation of han-	5466
	dling Plums grown in California; reg-	2400
	ulation by sizes and grades	
	(6 documents) 5461	-5465
	Agriculture Department	
;	See Agricultural Marketing Serv-	
_	ice; Commodity Credit Corpo-	
	ration; Commodity Stabilization Service.	
	Notices: Louisiana; designation of area	
	for production emergency	
3	loans	5480
,	Army Department	
	See Engineers Corps.	
	Atomic Energy Commission	
	Notices:	
0	Commonwealth Edison Co.; or-	5484
	der postponing hearing Walter Reed Army Institute of	2404
	Research; application for uti-	
r	lization facility license	5484
е	Civil Aeronautics Board	
9	Notices:	
s 1	Reeve Aleutian Airways, Inc.; order of investigation and sus-	
e	pension	5481
-	Commerce Department	
9	See Foreign Commerce Bureau.	
-	Commodity Credit Corporation	
-	Rules and regulations:	
-	Certain grains; determination of amount of deduction of	
s	of amount of deduction of	
i t	warehouse charges under 1959-crop price support pro-	
u I	grams	5437
-	Commodity Stabilization Service	
e	Rules and regulations:	
t	Wheat; county acreage allot-	
	ments for 1960 crop	5437

5437



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CFR SUPPLEMENTS

(As of January L, 1959)

All Supplements and revised books have been issued and are now available except the following:

Titles 1-3

General Index

nts, fon
Page
5479
5467
5467

CONTENTS—Continued

Federal Communications Com- 4 Page mission

5482

5482

5482

5482

5482

5483

5482

5481

5467

· 5469

5479

5480

Notices: Hearings, etc.: Biscayne Television Corp. et Corwin, Sherrill C. (KFMC)_ Gulf Coast Broadcasters and Tri-County Broadcasters, Inc _ Imes, Birney, Jr., et al____ Madison County Broadcasters Mount Lassen Radio and Television Broadcasting Co ... Prather, Kenneth G., and Misha S. Prather. Segal, David M., et al_____

Federal Trade Commission Rules and regulations:

United States Bedding Co.; cease and desist order_____

Foreign Commerce Bureau

Notices:

Schwarzinger & Co., Internationale Speditions G.m.b.; order denying export privileges for an indefinite period_

Interior Department

See Land Management Bureau.

Interstate Commerce Commission

Rules and regulations:

Recording and reporting property changes for valuation purposes __.

Labor Department

See Wage and Hour Division.

Land Management Bureau Notices:

Florida; proposed withdrawal for permanent reservation of certain lands_____

Post Office Department

Rules and regulations:

Directory of international mail: individual country regulations__

Securities and Exchange Commission

Notices:

Brookridge Development Corp.; order canceling hearing____ 5483

Treasury Department

See also Customs Bureau.

Notices:

Determinations of no sales at less than fair value; rayon staple fibers from: Sweden ____

Switzerland _____

Wage and Hour Division

Rules and regulations:

Homeworkers in certain industries in Puerto Rico; piece rates for hand-lacing of certain plastic and leather prod-

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.

6 CFR	Page
421	5437
7 CFR	
728	5437
936 (6 documents) 5461- 953	5465
Proposed rules:	5400
53	
961	5479
14 CFR	
609	5467
16 CFR	
13	5467
29 CFR	
681	5466
33 CFR	
203	5467
39 CFR	
168	5467
	``
49 CFR	
156	5469

is made, shall be apportioned among the counties in the State on the basis of the acreage seeded for the production of wheat during the 10 calendar years immediately preceding the calendar year in which the national acreage allotment is determined (plus, in applicable years, the acreage diverted under previous agricultural adjustment and conservation programs), with adjustments for abnormal weather conditions and trends in acreage during such period and for the promotion of soil-conservation practices. The applicable 10-year period used in apportioning the 1960 State wheat acreage allotments among the counties in the respective States included the years 1949 to 1958 inclusive.

Section 301(c) of the Act requires that the latest available statistics of the Federal Government-be used in making the apportionments required to be made under the Act. Estimates of county annual seeded acreage made by the Agricultural Marketing Service of the Department of Agriculture do not meet the definitions of wheat acreage as contained in the regulations pertaining to 1960. wheat acreage allotments and marketing quotas. Such regulations provide that: (1) Wheat seeded in mixtures with other small grains will be counted as wheat acreage if the harvested mixture is

classified as wheat or as mixed grain under the official grain standards; (2) wheat used for cover crop will not be counted as wheat acreage in any county; and (3) the transferring of farm records of wheat acreage across county lines will be permitted for administrative purposes. For these reasons acreage data obtained from farm surveys by county ASC committees in 1949, 1950, 1953, 1954, 1955, 1956, 1957, and 1958 covering the 10-year period, 1949-1958 were used as basic data in lieu of Agricultural Marketing Service estimates. It was necessary to adjust the total seeded acreage of wheat for 1954, 1955, and for 1956 in the States of Minnesota, Montana, North Dakota, and South Dakota, and for 1956 in California, in order that the acreage seeded to durum wheat in excess of the official farm acreage allotments under the provisions of Public Law 290, 83d Congress, for 1954, Public Law 8, 84th Congress, for 1955, and Public Law 431, 84th Congress, for 1956 would not be considered in establishing future State, county, and farm acreage allotments. For 1957, the data compiled by the farm survey excluded the acreage of durum wheat seeded in excess of the regular allotment under the provisions of Public Law 85-13. Therefore, no further adjustment was necessary for this factor.

The 1953 Agricultural Stabilization Conservation survey compiled 1951-53 wheat acreage seeded for grain, the acreage of mixtures of wheat and other small grains, and the acreage used for cover crop as separate items. Such items were included or excluded as required to conform to the wheat acreage definition set forth in the regulations. Since the change in definition for wheat mixtures will not be effective with the crops prior to 1960, no change was made in determining wheat history acreage for the 1958 and prior crops. The surveys for 1950, 1954, 1955, 1956, 1957, and 1958 compiled wheat acreage according to definition, so data for those years were used as compiled.

Credit for acreage diverted from wheat under previous agricultural adjustment and conservation programs was determined for each applicable county for the years 1950 and 1951. Credit for wheat diversion in 1950 was computed on a county basis for each State by subtracting from the total 1950 base acreage of wheat established for farms which complied with their 1950 wheat allotments, the larger of (1) the total 1950 wheat acreage seeded on such farms or (2) 90 percent of the total 1950 wheat acreage allotted to such farms.

No diversion credit was determined under the 1951 program for counties in which only spring wheat was seeded, because wheat acreage allotments for that year were suspended before spring wheat was seeded. For counties in which only winter wheat was seeded, diversion credit for 1951 was computed by subtracting from the county base acreage of wheat established under the 1951 wheat allotment program the larger of (1) the total wheat acreage seeded in the county for 1951 or (2) the county wheat acreage allotment for 1951, except that no diversion credit was allowed where the total

acreage in the county exceeded the county base acreage of wheat. For counties in which both winter and spring wheat was seeded, diversion credit for 1951 was determined in the same manner as for counties in which only winter wheat was seeded except that the respective results were adjusted by applying a decimal factor which was obtained by dividing the total winter wheat acreage seeded in the county during the preceding three years by the total acreage of all wheat in the county during the same year.

Credit for wheat diversion in 1954 and 1955 was computed on a farm basis rather than on a county basis and was determined as follows: For each year, if the farm wheat acreage allotment was exceeded, no credit for diversion was allowed. If the allotment was not knowingly exceeded and the wheat acreage was 90 per centum or more of the farm allotment, the diversion credit allowed was the difference between the base acreage and the wheat acreage. If the wheat acreage was less than 90 per centum of the allotment, the maximum diversion credit for the farm was determined by dividing the wheat acreage by 90 per centum of the county scaling factor and subtracting from this result the wheat acreage.

Credit for wheat diversion in 1956 was computed on a farm basis in a similar manner as for 1954 and 1955, except that 75 per centum was used in all computations instead of 90 per centum.

The sums of all such computed farm diversion credits were totaled for each year to obtain the county diversion credit for wheat for 1954, 1955, and 1956. For the States of California, Minnesota, Montana, North Dakota, and South Dakota the acreages of Durum Wheat (Class II) grown within the allotment increases made for 1954 under Public Law 290, 83d Congress, for 1955 under Public Law 8, 84th Congress, and for 1956 under Public Law 431, 84th Congress, were subtracted from the respective 1954, 1955. and 1956 wheat acreages adjusted as described above, so as to conform to language in these Acts providing that such acreage shall not be considered in the determination of future allotments.

Adjustments for abnormal weather conditions in county wheat acreage estimates were considered only for those counties for which the State ASC committees had determined that the wheat acreage seeded and diverted for any year of the ten year period except 1957 and 1958, was below normal due to abnormal weather conditions, and the Director of the Grain Division had approved such determinations. Counties thus approved which had wheat acreage plus diverted acreage for the year in question lower than the level represented by 90 percent of the most recent previous normal year's acreage or 110 percent of the previous 10year average wheat acreage plus diverted acreage, whichever was less, were increased to such level as an adjustment for abnormal weather. Determinations of such adjusted acreages made for years prior to 1957 were not revised even though minor revisions were made in acreages of the "normal" years as a re- 'sult of census revisions.

The 1957 wheat acreage data as compiled from CSS statistics included the following as wheat acreage: (1) Acreage actually seeded on the farms and classified as wheat under marketing quota regulations, less the acreage of Durum Wheat (Class II) grown within the allotment increases under Public Law 85-13; (2) the amount by which the acreage on a farm was less than the wheat acreage allotment; (3) the acreage diverted from the production of wheat on complying farms; and (4) the acreage released and reapportioned to farms under regulations for temporary release and reapportionment of such acreage issued by the Secretary. Use of this 1957 acreage data precluded the necessity of making any adjustments for abnormal weather conditions.

Section 334 of the Agricultural Adjustment Act of 1938, as amended, was amended by Public Law 85-203, to add the following: "Notwithstanding any other provision of law, no acreage in the commercial wheat-producing area seeded to wheat for harvest as grain in 1958 or thereafter in excess of acreage allotments shall be considered in establishing future State and county acreage allotments except as prescribed in the provisos to the first sentence of subsections (a) and (b), respectively, of this section."

Under the provisions of this amendment, only the allotment can be counted as wheat acreage history on any farm on which the allotment is overseeded. The 1958 wheat acreage data compiled from Commodity Stabilization Service statistics was the sum of the following:

- (1) The wheat acreage allotment for all farms on which the allotment was overseeded;
- (2) The wheat acreage base on all farms complying with the wheat acreage allotment, except those farms underplanting the allotment for the purpose of depleting stored excess; and
- (3) For those farms underplanting the allotment for the purpose of depleting stored excess, the acreage actually classified as wheat under marketing quota regulations, plus the diversion credit determined by multiplying the acreage seeded by the reciprocal of the county scaling factor.

To determine for each county the acreage seeded for the production of wheat during the ten calendar years immediately preceding the year 1959, in addition to the foregoing adjustments for diverted acres and abnormal weather, the following additional adjustments for trends, abnormal weather and promotion of soil conservation practices were made:

- (1) The simple average of the annual county wheat acreage estimates, adjusted as described above, for the 10-year period, 1949-58 inclusive, was determined.
- (2) The simple average of the annual wheat acreage estimates, adjusted as described above, for the 5-year period, 1954-58, was determined.
- (3) A simple average of the 10-year average and the 5-year average was de-

termined giving equal weight to each. This acreage became the preliminary adjusted county base acreage of wheat.

(4) As a further adjustment for trend and to give greater effect to the sharp changes in county seeded acreages of wheat during recent years, the preliminary adjusted county base acreages were limited to an acreage of not less than 80 percent nor more than 120 percent of the 4-year (1955-58) average acreage.

(5) As a still further adjustment for trend, in counties having a sharp downward trend in acreage, the county base acreage was limited to 120 percent of the four year average farm history of farms on the county listing sheets, adjusted where necessary for abnormal weather conditions, or other unusual circumstances which prevented producers from seeding in any year.

In order to compensate for transferring farms from one county to another, the base as calculated or limited was further adjusted if more than one percent of the county history had been either transferred into or out of the county. This adjustment was made by multiplying the base as previously determined by the factor obtained by dividing the four years (1954–57) average county history after the transfer by the four-year average county history prior to the transfer.

If the sum of the county base acreages thus established exceeded the State base established for the apportionment of the National allotment to States, all preliminary county base acres were factored downward pro rata so that the sum of the county base acres equaled the State base acres.

The resultant preliminary 1960 county base acreages as further adjusted for trend were reviewed by the respective State Agricultural Stabilization and Conservation Committee and appropriate adjustments made for the promotion of soil conservation practices. In determining the preliminary county base acreage, no consideration was given to the effect on the seeding of wheat of abnormal weather which might have been usually favorable for the production of wheat and other small grains. During the extended drought period of the past few years, the reduction of rainfall in the more humid area of the wheat belt has resulted in some shifting of hay crops and row crops to the production of wheat and other small grains. If the State committee determined that the acreage of wheat in any county had increased in recent years due to abnormal weather conditions, the committee was permitted to make a downward adjustment in the county base acreage subject to the approval of the Director of the Grain Division. The maximum acceptable adjustment was an upward adjustment of three percent or downward adjustment of five percent from the preliminary base acreage. All county base acres were factored pro rata so that the sum of the county base acres after such adjustments were the same as prior to the adjustments. The resultant figure was the final 1960 county wheat base acreage.

The county wheat acreage allotments

for 1960 were determined by apportion-

ing pro rata to the counties on the basis of the final 1960 county base acreages, the 1960 State wheat acreage allotment less (1) a reserve acreage for new farms in an amount not to exceed three per centum of the State acreage allotment, and (2) a reserve acreage for missed farms, appeals, and corrections of errors. Section 334(a) of the Agricultural Adjustment Act of 1938, as amended, states in part, "The national acreage allotment for wheat, less a reserve of not to exceed one per centum thereof for apportionment as provided in this subsection, shall be apportioned by the Secretary among the several States * * The reserve acreage set aside herein for apportionment by the Secretary shall be used to make allotments to counties, in addition to the county allotments made under subsection (b) of this section, on the basis of the relative needs of counties for additional allotment because of reclamation and other new areas coming into the production of wheat during the ten calendar years ending with the calendar year in which the national acreage allotment is proclaimed."

A reserve acreage of 60,000 acres was withheld for this purpose. In order for a county located in the 1958 commercial wheat-producing area to receive an additional allotment under this provision the State committee was required to establish that a definite delineable area of the county which had not been producing wheat prior to 1950 has gone into the production of wheat during the past ten years. The amount of additional allotment apportioned under this provision was the sum of the acreages determined on the basis of the formula set forth below, but in no case was the amount of the apportionment less than an amount obtained by subtracting the regular 1959 county allotment from 50 percent of the average of the county history for the four-year period 1954-57 inclusive.

(1) The sum of the acreages apportioned by the State committee from the State reserve for new farm acreages in the delineable area for the 1959 crop year.

(2) The amount by which the 1960 regular county allotment was less than the 1959 final county allotment factored by the ratio of the State allotment in 1960 to the State allotment in 1959, if the 1960 State allotment was smaller than the 1959 allotment, less the allotment which was lost to the county due to the provisions of Public Law 85–203

because of overseeding on allotment farms.

In the two States, Alabama and. Mississippi, which were added to the commercial wheat-producing area in 1959, and in Arizona which was added to the commercial wheat area in 1960, the above mentioned apportionment procedure cannot be used because there have been no allotments for counties or farms since 1954. Since in each of these three States it was determined that virtually every county now producing wheat has come into the production of wheat during the past ten years, all such counties were treated alike. Sufficient acreage out of the national reserve was set aside to bring the total acres apportioned to the State to 50 percent of the average seedings for the four years 1955-58 inclusive. Sufficient acreage was apportioned to each county from such reserve acreage so that for each of such counties the total of the regular allotment and the apportionment from the national reserve was the same percentage of the county average history for the four years 1955-58 inclusive. No apportionment from the national reserve was made in those counties in which the regular allotment exceeded the proportion of the four year history that was the basis for the total allotment to other counties in these States.

The total apportioned from the national reserve was 52,325 acres.

The tables which are a part of the regulations show the county base acreage, and the apportionment of the 1960 State wheat acreage allotments and the national reserve among the counties. The reserve acreage for new farms and the reserve acreage for missed farms. appeals, and corrections of errors withheld from the State allotment are listed at the end of the allotment tabulation for each State. The reserve acreage withheld for appeals and corrections by the county committee in apportioning the county allotment to individual farms is indicated in the appropriate column on the tabulation.

Prior to determinations of county acreage allotments for 1960 crop wheat, public notice (24 F.R. 1255) was given in accordance with the Administrative Procedure Act (5 U.S.C. 1003). No data, views, or recommendations pertaining to the determination of county acreage allotments for 1960 crop wheat were submitted pursuant to such notice. For farm wheat acreage allotments, which are based upon the county allotments herein, to be determined and farmers notified thereof prior to the wheat marketing quota referendum to be held on July 23, 1959, as required by law, it will be impracticable to publish these county allotments 30 days in advance of their effective date. Accordingly, the county allotments herein shall become effective upon filing with the Director, Division of the Federal Register.

§ 728,1007 Wheat acreage apportioned to counties for 1960.

Wheat Acreage Apportioned to Counties for 1969-Continued

Wheat Acreage Apportioned to Counties for 1960

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Reserve annoys and correstions	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	100			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	计父母证明 医医性性性 医多种性 医多种性 医多种性 医多种性 医克里氏 医克里氏 医多种性 医二甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基甲基	2,894		71 67	D.C.S	977
THE STATE OF THE S	, , , , , , , , , , , , , , , , , , , ,						±	3			
Total	52, 603	85, 151	277.1	22, 928	15, 144	Popel	1, 516	1.01	es c	123	338
						ファル・コート・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・	3,000			1, 451	30
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Wheat Aereage Apportioned to Countles for 1960—Continued California—Continued

Wheat Aereage Apportioned to Counties for 1966—Continued Arkansas—Continued

2 :	County wheat	Acreage appor- tioned to	County	Apportion the nation	Apportionment from the national reserve	:	County	Acreage appor- tioned to	County	Apportionment from the national reserve	nent from al reserve
Counties		counties from Stato allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tioned	Counties		counties from State allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tloned
Randolph. St. Francis. Salino. Salino. Salino. Salino. Sobastian. Syder.	1, 4, 656 666 888 888 888 888 888 888 888 888	1,300 3,106 1,106 1,106 3,27 1,03	P8 41	881	588	Yola. Yuba. Reservo new farms. Reservo appeals and corrections. Total.	16, 502 2, 450 642, 014	10, 959 1, 627 2, 146 500 429, 025	40 25 1,230	1, 441	296
Stone Van Buren Washington White		22 22 25 25 25 25 25 25 25 25 25 25 25 2	10 mm)	Соговаро				
Woodruff Yell Reserve now farms Reserve appeals and corrections.		1, 305 643 50 53	700	448 202	135	Adams Alamosa Arapalhoe	188, 607 1, 356 90, 009	131, 502 945 62, 757	స్థాన్	72	
Total	86, 127	57, 554	ш	14,024	9,355	Archimeta. Bata. Bent.	300, 025 42, 269	257, 287	288		
)	California	~		-		Douglater Oheyenno	16, 945 338 205, 038	11, 11, 236 142, 959	3.25		
Alamoda Albine.		1,706	28		-	Conclos Costilla Costilla Crowley	2,514 1,662 13,840	1, 753 1, 159 9, 650	, s e e		
Amador Butto	51	8,171	31			Guster Dolta	1,845	1,286	(m 00)		
Contra Costa		1,608	30				16,295	31, 326 11, 361	នឧទ		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Fresno		18, 679 3, 765	22			Elbert Bl Paso	92, 435	64, 449 15, 150	325		
Imperial Inyo		2, 283	20			Fremont Garfield	7,169	4, 998	9101		
Kings		1,202	28			Grand Huerfano	7,378	5,144			
Lasson Tosson Tos Amelos	12, 191	8,096	485			Jackson. Pefferson Kiture	12,305	8, 579 991,054	25	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Madera		10,499	188			Kit Chrson Le Plete	347,773	242, 478		:	
Maribosa		116	9 (5			Larimer Las Animas	31,813	22, 181 20, 52,	325		
Merced		3,341	282	382	254	Lincoln Logan	201, 252	140,319	222		
Mono		16 682	2			Mesa	2,305	1,807	845		
Napa Orango		1, 579	gg er			Montesuma Montrosa	7, 239	20,747	828		
Placer. Plumas.		10, 750	84			Morgan	86,098 3,035	60,030 2,116	22		
Riverside		19, 183	28			Ouray Phillips	1, 140	110, 326	820	· · · · · · · · · · · · · · · · · · ·	
San Bernardino.		1,789	200			Provers	307 228, 619	214 159, 400	100		
San DiegoSan Joaquin		976	20.02		1 1	Pueblo Rio Blanco	23,508 8,784	16,390	82		
San Luis Obispo		80, 797	පිය	1		Rio GrandeRoutt	34, 635	24, 149	28		1 1
Santa Barbara Santa Olara		10, 916	ខ្លួត			Sagnacho San Miguel	1,045	729	1001		
Shasta		1, 682	, E			Sedgwick. Tellor	90, 537	03, 125	35	1	
Siskiyou Solano		19,561	ිදිස	1,059	703	Washington	337,209	235, 112 188, 231	100 200 200		
Sonoma. Stantslans		588 727	-10			Yuma Reserve new farms	203,832	142, 118 2, 000	75		
Sutter		16, 796 2, 146	22 22			Reserve appeals and corrections.		1,000			
Tulare Tuolumne		28,826	72			Total	3, 835, 146	2, 676, 977	2,067	1	
Ventura		8//	<u>-</u>		,						

	rom rve	Acreage appor- tioned					1 1 1				3																								
	Apportionment from the national reserve								#		13									<u> </u>															-
par	'	Equiva- lent base acreage						1 1 1 1 1 1 1 1 1			1																	1							*******
-Continu	County	for appeals and cor- rections	6,2,2,2,5,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0	,0,7,4, 0,00	10.0 1.0		900	3.0	000 000 000	00	2,0 0,0	000	.04	5.0	10.0	i,i,	100	116	00 i-i-	000	- in		2,2	80	010) 63 - 3i 6	- 0					1:0 1:0		9.0	4,5
for 1960	Acreage appor- oned to	counties for from State allotments	254 118 7,212 4,71 1,088	2, 937 487	9,895	3888	470 470 325	88	25 25 25 25 25 25 25 25 25 25 25 25 25 2		201 202 203	252	1,024	155	5,257	2, 233 1, 233	1,020	35.5	3 E E	35	796 797	35 80 80 80 80 80 80 80 80 80 80 80 80 80	1.184	## ## ##	738 138 138	£81	8, 23	1 1 1 1 1 1 1 1 1 1	2	12:	2.5	52	250	S	
ortioned to Counties Georgia—Continued	County ti		7, 808 7, 808 7, 706 6, 529	2 4, 5 5 65, 5 6 64,	14, 824 445	322	2, 473 487	53 70	3, 195 19, 091	1.007	376	8 F	1,534	3 810	7,876	3,346	1, 542		នុន	486	307	45 <u>4</u>	387	626	3,57		33.57	7.2	<u> </u>	78	₹ ¥	8 5 E	188	2	7.5
Wheat Aoreage Apportioned to Counties for 1966—Contlaued Georgia—Contlaued	0,	, , , , , , , , , , , , , , , , , , ,			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0	1	# 1	9 F F F F F F F F F F F F F F F F F F F		1		# 1			2		3	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	***************************************	X 1 1 7 1 0 1 0 1 0 1 0 1 0 1 0 1 0 1 0 1		1 9 9 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					1	:	F			- 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Wheat A		Counties	faralson Larris Gent Gent Gent Tenston	rwin ackson asper of Davis	efferson	Onlise	ducoln.	owndes.	Macon	Marlon 4	Miller	Montgomery	Muray	WuscogeeVewton	glethorpo	autumg Peach	2lke	ulaski	Jultman	Sandolph	Sockdale	ereven	seminolespalding.	tephens.	Sunter	[allaferro[allaferro	l'atmall	[elfair [errel]	Chomas	Comps	Crentlen	fronp	Twikes	Jpson	White I was a second se
	tent from 1 reserve	Acreage appor- tioned					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		7																								8		
pq.	Apportionment from the national reserve	Equiva- lent base acreage					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		8				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1 1	, , , , , , , , , , , , , , , , , , ,			1 1		1			1 1						8		1
Continue	County	for appeals and cor- rections	09 20 20 20 20 20	197		N 00	: : :	0.0	00;÷	0.1	0.8	0.9	; ; ; ; ; ; ;		200	: : ::::::::::::::::::::::::::::::::::	10	0.5			<u>i i</u>	 070	1.0	00	: C =	1200	<u>; ;</u> = 01 = 10	20.00		000) 0 0 0 0 0	 00 66		10.0	; ; ; ; x
es for 1960	Acreage appor- tioned to	counties from State	• • • • • • • • • • • • • • • • • • • •	34, 182		3.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1	1,984 1,034	2, 083	649	£,	1,240	1001	222	202	£	1, 703 126 984		5 E	888		216	# <u>2</u>	.5 160 265	597	: <u>2</u>	2,614		19	S	8, 82, 7, 82, 6	8 25	555 855	196	1, 457	202
ed to Counti Delaware		paso acreage	20, 609 17, 046 9, 494	47, 149 Georgia		27. 8 × 7.6																												•	•
Wheat Aercage Apportioned.to Counties for 1969—Continued Delaware		Countles	Kent New Castlo. Busex Reserve now farms. Reserve appeals and corrections.	Total		Appling. Bacon. Baker.	Sinky III. Birks Birlow	on Hill	Serien 11bb 12bb	TOKKY	ulloch	alboun	arroll	atoosaatoosa	herokeo	UNITAGE STATE STAT	0.bb.	olquitt	Net a series of the series of		W. Solland and the second and the se	ecatur.	000V	ougherty.		Port.	Nans	annin	loyd.	ranklin	Ulton.	lascock	(red b)	Winnett	SOUTH THE STREET

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Appendioner to committee	GEORGIA—Continued

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ned	Apportionment from the national reservo	Equiva- lent base acreage								1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	4															1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
10—Contin		for appeals and cor- rections	100 100 75 75 75 75 100 100 100 100 100 100 100 100 100 10	3888888		86.08	8228	150	, 125 126 126 126 126 126 126 126 126 126 126	288	25.5	1588	288						•								
tics for 190	Acreage appor- tloned to	counties from State allotments	33, 492 4, 454 17, 212 374 6, 905 1, 868 4, 404	18,056 28,054 12,063 12,508 14,518	22,17 1,1984 884 884	13,549	, 9, 6, 9, 9, 19, 19, 19, 19, 19, 19, 19, 19,	18,221	23,400	16,218	22,452	11, 741 23, 273	4, 151	, 11, 672 17, 000	20,171	17,907	1,912	7,147	3,883	18,5 88,68	2, 830 830	,;;;	1,896	41,459	19, 422	30,967	3, 150 14, 837 1, 419
ed to Coun Leinois	County wheat .	base acreage	20, 295 6, 689 - 25, 847 - 26, 847 - 20, 869 - 2, 805 - 2, 805 - 4, 805 - 6, 805 - 7, 805 - 805	28, 016 43, 029 34, 077 18, 709	8,2,8 9,978 8,078	20,347	25,48 468 1709	27, 362 27, 362	35, 140 962	124,25	33,716	17, 631 34, 948	6,234	17,528	186 186 186 186 186 186 186 186 186 186	26,891	2,871	10, 732	4, 299 5, 088	28, 261	1,246	17,9	, 850 850 850	62,452	29, 484	46, 503	4,6%,cg
Wheat Aoreago Apportioned to Counties for 1966—Continued Ixinois	,	Oounties ,	Adams. Alexander. Bond. Brown. Brean. Burean. Calhoun.	Cass Ohampuign Ohistian Clark Olay Olay	Coles Cook Crawford	Cumberland. De With De With	Douglas. Douglas. Du Pago.	Effingham	Fayetto	Flanking.	Greene	Hamilton Hancock	Hardin Enderson	Toology	Jaspan Landard Company of the Compan	JOHOTSOM.	Johnson Length	Kankakce Kendali	Knox Lako	La Salle	Leo Livingston	MoDonough	McHenry	Macon Macoupin	Madison	Marshall Mason	Massac, Monard Mercer,
	ment from al reservo	Acreage apportioned		43	,		1, 410	1,084	169			1,327	16				64		12	1900	2, 280		200				7, 013
pa	Apportionment from the national reserve	Equiva- lont baso acreage		19			2, 126	1,624	253			1,988	53				90 620		18	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	9,420		313				10, 506
0—Continu	County	for appeals and cor- rections	(0000000000000000000000000000000000000	0.6		55 15	ន្តនទ	199	29	282	88	22:	288	1250	187	322	128	325	828	38	282	288	322	388	32		4, 925
iles for 196 ued	Acreage appor- tioned to	counties from State allotments	3, 643 1111 804 73 1, 035 248 810 810	133 76 50 109, 073		5,837	48, 558 21, 942	51,870 7,295	1,649	9,375	34, 762	69, 802, 950,	7, 585	34, 101		7,255	28,021 12,524	23, 982 65, 657	1, 322	48,541	82,58 82,58 82,58	6,021	9,201	33,03	17,638	250	1, 164, 897
ortioned to Counties Georgia—Contlinued	County	base acreage	5, 467 1, 205 1, 205 1, 10 1, 101 1, 214 1, 214	-	IDAITO	į .	(5,8 <u>)</u> 8	jr:a	2, 470	14,044	52,075 24,768	74, 607 91, 306	7,996	11,226	71, 438	10,869	41,977	35, 927 98, 358							26,		1, 743, 211
Wheat Aereage Apportioned to Countles for 1966—Continued Georala—Continued	,	Countles	Washington Wobster Wheeler White White White White White Wilcox Wilcox Wilcox	Worth Reserve new farms. Reserve appeals and corrections. Total		Adb.~ Adims	Bannock Bear Lako Bear Lako	Bingham Binho Binho	Bonnet Bonnetille	Boundary Butte	Canyon Canyon	Caribou Carsta	Olark Clearwater	Elmoro Franklin	Fremont	Gooding	Jefferson Jerome	Kootenai	Lembi Lowis	Madison	Not Perce.	OWyho	Power	Twin Falls	Washington	Reserve appeals and corrections	Total

Wheat Acreage Apportioned to Counties for 1960—Continued Illinois—Continued	rtioned to Countle. Illinois—Continued	les for 196 ed	0—Continu	leđ.	`	, IThe	Wheat Acreage Apportioned to Counties for 1960—Continued Indiana—Continued	rtioned to Counties Indiana—Continued	les <i>for 196</i> (8d	0—Continu	eq .	!
	County	Acreage appor- tloned to	County	Apportionment from the national reserve	nent from al reservo	,	/	County	Acreage apportioned to	County	Apportionment from the national reserve	nent from il reservo
Countles		counties from State allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tioned	Countles	tiles			for appeals and cor- rections	Equiva- lent base acreage	Aereage appor- tioned
Monroo. Montgemery Margan Margan Moultrie Moultrie Moultrie Moultrie Peoria Peoria Peoria Peoria Perior Peoria Perior P		\$\\ 88.88.72.19.72	8888 8888 8888 8888 8888 8888 8888 8888 8888			Grant Grent Grent Grent Hamilton Hamilton Harison Hendricks Joseph Joseph Joseph Martin Martin Martin Martin Martin Martin Martin Monroo Nobobo Onloo On		F35517557F845658458444454654415416671485455485856585548155655555555555555555	13534-21111845-88888719884-1649-16484-1684-17884-4489-4489-4488-4488-4488-4488-4488-			
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Wheat Acreage Apportioned to Countles for 1960—Continued

Apportionment from the national reserve Equiva-lent base screage Wheat Aoreago Apportioned to Countles for 1960—Continued County reserve for appeals and cor-rections 228824 2, 131 Acreage appor-tioned to counties from State allotments 2,1,4, 2,000 143, 123 Iowa-Continued 186, 353 KANSAS Van Buren.
Wapello
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Roseryp now farms. Total Countles Acreage appor-tioned Apportionment from the national reserve Equiva-lent base acréage County reservo . for appeals and cor-rections 88 18 22 appor-tloned to counties from State allotments County wheat base acreage Boono. Bromer Bromer Barbanan Calihoun Carroll Countles

Wheat Acreage Apportioned to Counties for 1960—Continued

Wheat Aoreago Apportioned to Countles for 1969—Continued Kentucky—Continued

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go l		countles from State allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tioned	Counties	baso acreage	countles from State allotments	for appeals and cor- rections	/ Equiva- lont base acreage	Acreage appor- tioned
Logan Lydn MoPherson	167, 445 51, 027 300, 331	111, 671 34, 030 200, 294	150 200 400			Butler Caldwell Calloway	1, 173	1,807	2822		
179	92	110, 741	900			Campbell	884	, 290	<u> </u>		
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₩,	886	25, 601	125			Carter	126	26.5		1	
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₹ E	500	40, 491				Cumborland	1, 221	1,278	5 4	1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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ä	063	85,407	176			Edmonson	712	474	;10		
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, <u>E</u>	78	141, 174	200			Floming	2 120	1, 410	;e		
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300	25	203, 738	400			Fulton	4.046	693	2		
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8	2, 721	188, 552	400			Hickman	5.747	8888			
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	200	24	170			Toolean	9	38			
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KENTUCKY	<u>.</u>				-	Montgomery		233	2		***************************************
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Wheat Acreago Apportioned to Gountles for 1969—Continued Michigan—Continued

Wheat Aoreage Apportioned to Counties for 1960—Continued Kentroex—Continued

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Wheat Aereage Apportioned to Counties for 1960—Continued Minnesora

Wheat Aereago Apportioned to Counties for 1960—Continued

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Wheat Aoreago Apportioned to Counties for 1960—Continued

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iortioned to Counties f Nebraska—Continued	County	baso acreago	68.96	39,8	107,48	232,28	125,80	2,2,	71,868	26,88	95,580	33.		124.55	.65,55	 	119,39	276	2,5	48,2	\$6. \$2. \$3. \$3. \$3. \$3. \$3. \$3. \$3. \$3. \$3. \$3	10,33	9,57	37.31	87,552	102,28	100,80 1.62	190,584	103,92	81,65		7.62	34,8	8,13 11,89	3.55	56,56	195,07	æ; €	39, 412	2,53	39,4	115 124	(E)	# 15 20 20 20 20 20 20 20 20 20 20 20 20 20	130	8,58 6,58	36	2, 15	109, 28
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cs for 1961 inued	Acreage appor- tioned to	counties from State allotments	8, 503 4, 465 600 300	478, 681	1,901	, 1, 4, 25 1,469 1,469	2, 376 2, 376 2, 376	, 888	100	12,032	, 23 18, 18,	2, 581	775	28,23	2, 308 309	20, 361 12, 238 172	28, 370	2, 457	202	1, 599	185	888	, 7, 1, 888	17, 302	1,779	1,872	1,336	985	10, 55 52 53 53 53	13,126	708 208 208	320, 595
sortioned to Counties fo New Mexico—Continued	County		12, 072 6, 339	678, 340	NEW YORK	2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2	4,4,6,4 2,725 2,500 2,500 2,500	; e,	1, 1,	18,026	33, 662	1,492	112	42,43 88 88 88	.3, 030 463 ——	30,489	42, 502	3,681	1,051	2,396	525	253	, 00,	25,921	2, 665	2,805	2,83	1,037	20,57	20,073		479, 764
Wheat Aoreago Apportioned to Counties for 1969—Continued New Mexico—Continued	•	Counties	Union Valencis Reservo now farms Reservo appeals and corrections			Anegany Broome Oattamugus.	Obattanqua Obattanqua	Olinton Olinton Octombia	Dutchess.	Erle Essex Franklin	Fulton Geneseo	Greene Herkimer Jefforson	Low Land	Monroe.	Montgomery	Niagara Onolda Ononden	Ontario	Orleans		Rensselaer	St. Lawrence	Schootady	Schuyler	Steuben	Suffolk	Tioga	Ulster	Warren Washington	Wayne	Wyoming	Reserve now farms	Total
	ment from al reservo	Acreage appor- tioned										1																				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
led	Apportionment from the national reserve	Equiva- lent base acreage																										1 1				
o—Continued	County	for appeals and cor- rections	10 70 75	12°	9,044			జకా	នន	828	0100	209	:8×	15		407		 	9	64 E	300		ě	Q G	э н	-9	100	Se E	چ د م	۽ ۾ ۽	PT	ංශලු ල
ics for 196 nued	Acreage appor- tloned to	counties, from State allotments	16, 264 16, 264 8, 778	44, 916	2,000 1,003 3,181,945		6-	8, 8, 8, 8, 8, 8, 8, 8, 8, 8, 8, 8, 8, 8	. 603	6,9,8 843 883	01 488 288	2,841	4, 596	2,873	3.2	52, 456	-	-	, 888	8, 627	201,048	88	223	26. 25. 25. 25. 25. 25. 25. 25. 25. 25. 25	38	1.83	124.656	8,025	1,230	1,514	323	1,934
vortioned to Countles founded Nabraska—Continued	County wheat	baso acreago	23, 806 12, 848		1 1 2	New Jersey	l	4,850	·		15,094		,	4, 168		75,956	NEW MEXICO				285, 441											27,176
Wheat Aoreago Apportioned to Counties for 1960—(Nddanska—Couthued	;	Counties	Thomas Thurston Valley Washington	Wobster Wheeler York	Reserve new farms Reserve appeals and corrections Total	Z	Atlantic. Review	Burlington Camdidan Gana May	Oumberland. Gloucester	Aunteron Mercer Middes	Monmouth Morris «- Ocean	Passalo Salem	Somerset.	Union. Warren.	Reserve new Jarms.	Total	IN ,		Bernalillo	Ohaves. Colfax	Curry Da Baca	Eddy. Grant	Guadalupe	Hidalgo	Lincoln	McKinloy	Otero Onav	Rio Arriba Rosavalt	Sandoval	San Miguelland	Storra.	Taos. Taos. Y Torrance.

Wheat Acreage Apportioned to Counties for 1960—Continued North Carolina

	Apportionment from the national reserve	va- Acreage appor-	
ıtinued ′	L	eals Equiva- ns lent base acreage	おおおおおさこことは
00—Con	Qonu	for appeals and cor- rections	
tics for 19 doutinued	Acreage appor-	counties from State allotments	68.68.62.12.42.4 31.17.6 40.17.6 32.17.6
portioned to Counties for . North Carolina—Continued	County	base acreago	Norm Norm Norm Norm Norm Norm Norm Norm
Wheat Aereage Apportioned to Counties for 1969—Continued North Carolina		Countles	Polk Polk
	Apportionment from the national reserve	Acreage apportioned	
peq		Equiva- lent base acreage	
0-Continu	County	for appeals and cor- rections	සිසිසිසිය සිසිසිසිසිසිසිසිසිසිසිසිසිසිසි
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Wheat Aercago Apportioned to Counties for 1960—Coutlined North Oarolina	:	Counties	A limance

ned	Apportionment from the national reserve	Equiva- Acreago lent base appor- acreago tioned		# 2	
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tes for 196. d	Acreage appor-	counties from State allotments	සව ලදු අදේ දැදිය දිය පුට පුට පුට දැදිය දැ	1885 1788 1788 1788 1788 1788 1788 1788	7. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6. 6.
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	Apportionment from the national reserve	a- Acreage so appor- tioned			
neđ		Equiva- lent base acreage			
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les for 196 ontinued	Acreage appor- tioned to	countles from Stato allotments	2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2		ੑੑਸ਼ੑਖ਼ੑਸ਼ੑਜ਼ੑਖ਼ੑੑੑੑੑਸ਼ਫ਼ੑਸ਼ੑਸ਼ਫ਼ੑਖ਼ੑਫ਼ੑਖ਼ੑਖ਼ੑਖ਼ੑਖ਼ਫ਼ੑਖ਼ੑਖ਼ੑਖ਼ਫ਼ੑਖ਼ੑਖ਼ੑਖ਼ਫ਼ੑਖ਼ੑਖ਼ੑਖ਼ਫ਼ੑਖ਼ੑਖ਼ਫ਼ੑਖ਼ੑਖ਼ਫ਼ੑਖ਼ਫ਼
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Wheat Acroage Apportioned to Counties for 1960—Continued Oklahoma—Continued

Wheat Acreage Apportioned to Counties for 1969—Continued Oregon—Continued

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Counties	base	counties from State allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tioned	Counties	base coaceage from	countles from State allotments	for appeals and cor- rections	Equiva- lent base acreago	Acreage appor- tioned
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pportioned to Countles for Sourn Canouna—Continued	County		4, 249 10, 452 6, 255 2, 121 1, 202 4, 962 206, 744	Sourn Dakota	17, 226	121, 524	3,080 131	277, 625	27,700	130,088	96, 232	6, 702	171, 245	9,4	113,097	2, 186	5,524	191,800	125, 169	18,969	54, 100	9, 434	105, 764	61, 312	68,350	7,344	30,888	32, 639	71, 686	39, 792	8 301	320	133, 036	1,430	139, 384	80, 310	40, 688	7,380	193	341	69, 081	211, 237	142,042	71,726	6,384	29, 795	351,884	40,678	
Whead Aereage Apportioned to Countles for 1960—Continued Sovie Oanolika—Continued		Countles	Saluda	08	Aurona	Beadle Bennett	Bon Homme Rrockling	Brown. Bruie	Buffalo	Campbell	Oharles Mix	Olay	Corangton	Custer	Day	Deuel	Douglas	Edmunds Fell Piror	Fault	Grant	Gregory	Hamin	Hand	Towalland	Highes	Hutchinson	Hyde	Juckson	JONES	Kingsbury	J.ako.	Lawrence	Tymsn	McCook	McPherson	Marshall	MANICATION	MCCOC	AVAILACT	Mondy	Ponnington	Porkins		Toborto		Shannon	Spink	Stanley	
	ment from al recorvo	Acreage appor- tioned											****					7										,				-			1	1								******					
leđ	Apportionment from the national reserva	Equiva- lont base acreage								1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					,																																		
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ics for 196 ntinued	Acreage appor- tloned to	counties from Stato allotments	0.7.2.36 6.5.2.47 1.1.2.3.3 5.2.2.47 1.1.3.3 3.6.2 3.6	9,374	188	1,933	1,33,	6, 547	10,011	41, 704	120	0.00	508, 549		×		4, 564 934	2,272	18,662	1,511	136	5,395 135	4,618	1, 544	7,458	1, 200	5, 535	1, 282	9. 227	630	3, 555	7 2003	7, 203	1,528	742	. 33	2,007	1,360	6, 395 200	0,439	2,023	491	127	2,000	4,007	5, 257	3,303	3,328	
ortioned to Countles for Pennsylvania—Continued	County	base acreage		E T		્રં જ	1-4	•	15,				831, 873		SOUTH CAROLINA		6,843																		•			•	_								4,953		
Wheat Loreage Apportioned to Counties for 1966— Pennsylvania—Continued		Counties	Morect Millin Millin Monton Monton Monton Monton Mortun Mortun Mortun Mortun Pering Pulice Pering Philindelphia	Schuylkill Snyder	Sullyan	Tioga	Venture	Walten	Westmoreland	Wyoming.	Reserve new farms.	Treest ve appears and collections.	Total		NOS		Abbeville	Allendale	Anderson	Barnwell	Berkoloy	Calboun	Oherokee	Chester	Chesterfield	Colleton	Darlington	Dillon	Dorchester.	Fairfield	Florence	Georgetown	Greenville	Hamnton	Horry	Jasper I and the second of the	Kershaw	Lancaster	Laurens	100	Lexington	Mocormick	National and an annual an annual and an annual and an annual and an annual and an annual	JV 81Doro	New Derry - Learning	Oconcolumna Orongobium	Pickens	Richland	

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		Acreage appor- tioned to	County	Apportionment from the national reserve	nent from al reserve			Acreage appor- tloned to	County	Apportionment from the national reserve	ent from 1 reservo
Counties	~	counties from Stato allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tioned	Countles	baso acreage	counties from State allotments	for appeals and cor- rections	Equiva- lent baso acreago	Acreage appor- tioned
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Conditions Conditions Cooks Goods Cooks Co	34,224 134,150 13,508 53,814 100,871	28, 59, 28, 28, 28, 28, 28, 28, 28, 28, 28, 28	288848 S			Light Cult. Lubbook Lubbook Lynn McCulloch McLennan Martin	21,2,5,2 21,252 21,252 210,210 210	5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5	188988		
Dallas. Datason. Datason. Datason. Datason. Datason. Datason. Datason.	33, 544 1, 614 293, 928 1, 356 48, 902	22, 873 1, 101 200, 423 33, 345 33, 345	8 4 6 5 5 T		U 1) E 1 B 1 B 1 B 1 B 1 B 1 B 1 B 1 B 1 B 1	Mayoriek. Medina Menard Midand Miland Milan	150 446 1,656 208 3,816	102 303 1,129 1,129 2,142	-		0 7 0 1 0 7 0 7 0 1 0 7 0 1 0 1 0 1 0 1
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Famin Fishor Fishor Foard Frio Grifes	16, 401 42,722 42,722 194,584 100, 473 2,377 2,377	11, 450 20, 131 132, 682 68, 510 1, 621 1, 621	**************************************	83	38	Odulitre Oldham. Palo Pirto Parkor. Parmor Pottor. Prottor.	359, 246 87, 236 87, 236 4, 186 757 155, 978 40, 214	244, 975 50, 959 7, 957 106, 353 33, 558	100 574 85 185 181		
Gillespio. Gillespio. Gonzales Grayson. Guyson. Gudalupo	8,866 408 127,544 65,100 487 20,108	6,046 278 86,968 44,390 44,390 66,511 13,773	28 28 29 29 20 20 20 20 20 20 20 20 20 20 20 20 20			Ratins. Radial. Red River Roovs. Roberts. Rookwall Rockwall Runnels.	197, 462 631 631 43, 572 44, 872 52, 816 3, 413	29, 711 29, 711 32, 711 29, 711 30, 014 2, 327	28 25 29 4	148	101
Hamilton Hanslord Hardeman Hartes Hartes Harkel Haskell Hanskell Hanshill Hembill Henderson	327, 228 327, 6012 127, 6012 127, 956 74, 353 74, 353 74, 353 74, 353 74, 353 74, 353 74, 353 73, 353 3, 373 732	22,4,927 22,4,756 87,013 87,250 50,700 35,868 2,868 2,139 499	100 100 56 56 10 10 10			Schleicher Schleicher Schleicher Shale Sherman Sherman Sherman Stephens Stephens Stephens Stephens Stephens Stephens Towner Taylor Taylor Taylor Taylor Taylor Taylor	26, 318 26, 318 26, 318 263, 886 104 18, 668 450 178, 692 178, 692 4, 634 4, 634 4, 634 4, 634	11, 573 16, 582 170, 944 12, 720 12, 930 12, 930 12, 930 62, 666	_88 <u>4</u> _8 88 ₀ 8		
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rtioned to Counties Vinginia—Continued	County	1	4 % % % % % % % % % % % % % % % % % % %	6,217 727	2, 28, 28, 28, 28, 28, 28, 28, 28, 28, 2	12, 141 9, 638	1,1, 1,486 12,23	1,0,0,0 151 151 151 151 151 151 151 151 151 15	13, 739	3, 952 3, 918 3, 327	9,564 2,179 1,918	1,959 1,959	2, 4, 2, 23 2, 23 2, 23 2, 23	200 m	21, 286 1, 286	
Wheat Acreage Apportioned to Counties for 1969—Continued Vivoinia—Continued	- 1	Countles	land. n. n. r. r.	k	or. nd.	1110	d. 1708ht	fames City. King and Queen. King George.	0.1.	urg.	fburg. cx mery	ond	thampton thumberland	ĐÃ.	ania	owning of the control
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-	ment from al reservo	Acreage appor- tioned.	237												. ,	
ied	Apportionment from the national reserve	Equiva- lent baso acreago	348												1	
0—Continu	County	for appeals and cor- rections	25 35 35 2,834		. 200°20 7	15 40		2222			3845		20	1, 624		- , - , - 52~~82555~55 885585~8~8
tes for 196 ed	Acreage appor- tloned to	counties from State allotments	2,462 49,263 112 1,760 2,46 4,002,251		1,904 96,041 33,320 1,391	3,544 9,831 9,831 9,831	1,327	20, 753 956 28, 749	2, 051 175 3, 531 19, 078	30, 524 12, 131 2, 758	6,963 16,949 16,945	6,685	2,762 100 49	309, 310		1, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7,
rtioned to Counties Texas—Continued	County	baso acreage	3,610 72,246 164 5,908,624	Отан	140, 254 48, 672 2, 031				~				11	451, 482	VIRGINIA	2 72222 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
Wheat Aoreago Apportioned to Counties for 1960—Continued TEXAS—Continued	•	Counties,	Yoakum. Young. Zavah. Reservo now farms. Reservo appeals and corrections.		Boaver Box Bidor Godie. Ortbon	Daggett Davis. Duchesno	Emery Gardeld Grand	Juob. Kano. Millard	Morgan Pluto Rich Salt Jako	San Juan Sanpete Sevier	Summit Tooslo Ulintah Ush	Washington. Wayno.	Wober Resorve now farms Resorve appeals and corrections	Total		Accomac Alcemento Albemento Allemento Almelauy Amelia Ambrest Appomentox Appo

o —Continued		for appeals and cor- and cor- rections lont base appor- acycige tioned	700	000		20			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				200							2 4 6 1 1 2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	C			# # 2	# 1	7 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	•
es for 196 tinued	Acreage appor- tioned to	counties from State allotments	1,824 436 794 794 109	 988 1388	2 2 2 3 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3	1, 196 55	₹. 88	1212	85	388	, 84	38	: 32 : 32 :	1,000	37, 741		,	825	216 216 34	677	108	2,141	1,643	1,457	82°2	365	420 1420 1420 1420 1420 1420 1420 1420 1	715	S 4.5	992	1,976	7,222	385	. 616 0	
portioned to Countles for Weer Vinamia—Continued	County Wheat		2, 852 2, 512 601 1, 091 1, 091	52125 52125	2,994	1,046	310	11	537 84 84		భ ల	88	069		50, 203	Wisconsin	302	389	278	871	854 132	295	2,114	1,875	347	. 387	250	188	286	1,280	2, 541	325	374	1,182	-
West Loreago Apportioned to Countles for 1966—Continued West Vindina—Continued		Counties	Marshall Mason Mercer Mercer Mineni Monongalia	Morgan Morgan Nicholas	Onto. Pendleton Pionsur's	Pocahontas. Preston.	Putnam Raioloh Randoloh	Ritchio, Roane	Summers. Taylor	Tylor	Wayne Webstor	Wetzel.	Wood Reservo new farms	Reserve appeals and corrections	Total		A Description	Ashland	Barfoll	Buffalo.	Galumot	Olark Columbia	Orawford Dane	Dougle. Douglas.	Dau-Olairo Flavoro	Fond du Lac.	Grant	Green Lake	100va Iron	Jackson	Juneau Konosha	La Crosso	Langlado	Manitowoc.	
	neut from il reserve	Acreage appor- tioned							1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1						1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1									-										1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
15	Apportionment from the national reserve	Equiva- lent base acreage			,							5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1							1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					,		,	1							,
—Continued	County	for appeals and cor- rections	16	1, 735		640	308	4.2	125	6 285	1.206	92	100	ន្តន	300	250	2	01	991	48 8	343		7,052	_	06	38	100	07	88	32	22		i		>
es for 1960 ed	Acreage apport	countles from Stato allotments	3, 556 224 300 300 300	256, 173		270, 683	28, 388 102, 928 4, 498	, 73 104	68, 301	168, 242 4, 114 109, 401	131, 638	1,053	8,890	, 2, 25 2, 23 2, 245 2, 245	275, 279	27, 470	385	104	18,903	175,984	343, 188	88	1, 997, 539		191	3,780	367	Q 9	1, 397	2,01 281 282 283	2,014	18		구임	-
ortioned to Counties Vindina—Continued]	base acreage	5, 334 330	383, 350	Washington	405, 470	42, 524 154, 180 6, 738	1997 7040	102,312	252, 018 6, 163 153, 391	99, 672	1,677	13,317	4,411	412, 355	1, 148	323	1,431	28,316	263, 616	514, 079		2, 989, 218	West Virginia	950	5, 207	200	90.	1, 924	3,014	2,774	988	11,645	14.	
17hcab Aorcago Apportioned to Gountles for 4960— VindinA—Continued		Countles	Wiss. Wyths. York. York. Reserve new farms. Reserve appeals and corrections.	/Total:	. A.	Adams	Asotin Benton Chelon	Olark Olark	Columbia. Cowlitz	Douglas Forty Footy	Gardeld Grant	Grays Harbor Island	Jefferson	Klickitat.	Lincolu Mason	Okanogan Pend Oreille	Pierce.	Skagit		Thurston Walla Walla	Whitman Wol-tman	Reserve now farms.	rotals			Borkoloy	11	Doddridgo	Fayetto.	Greenbrier	Hancock Hardy	Jackson	Jofferson	Marlon	۵

Wheat Acreage Apportioned to Counties for 1960—Continued
Wisconsin—Continued

WISCON	SIN-Uonti	nuea		•	
	County wheat	Acreage appor- tioned to	County	Apportion the nation	ment from nal reserve
Counties	base acreage	counties from State allotments	for appeals and cor- rections	Equiva- lent base acreage	Acreage appor- tioned
Marathon	909	707			
Marinette	414	322			
Marquette Milwaukee	913 1, 563	710 1, 215			
Monroe	262	204			
Oconto		462			
OneidaOutagamie	130 493	101 383			
Ozaukee	1,526	1,186			
PepinPierce	1, 198 3, 170	931 2,464			
Polk	3, 170	2,404			
Portage	620	482			
Price	28 6,757	5, 252			
RacineRichland	205	159			
Rock	2, 543	1,977			
Ruskst. Croix	1.000	777			
Sauk	1,976	1,536			
Sawyer	6	5			
ShawanoSheboygan	1,038	393 807			
Taylor	78	61			
Trempealeau	814	633			
VernonVilas	91	71 2			1
Walworth	1,664	1, 293			
Washburn	30	23			
Washington	2,078 2,447	1,615 1,902			
Waukesha Waupaca		256			
Waushara	607	472			
Winnebago	970 67	. 754 52			
Reserve new farms		65			
Reserve appeals and corrections		396			
Totak	59, 938	47, 054			
	WYOMING		•	<u> </u>	<u> </u>
*			· · · · · ·		
Albany	148	98			ŀ
Big Horn	2.382	1, 594	10		
Campbell	45, 516	1, 594 30, 457	200		
Carbon	16, 564 8, 517	11, 084 5, 699	50 10		
Crook	39,628	26, 517	150		
Fremont	4,168	26, 517 2, 789 57, 061	25		
GoshenHot Springs	85, 275 262	57,061 175	50		
Johnson.	8,646	5,785	20		
Laramie	99,470	66, 560	140		
LincolnNatrona.	5,756 436	3,852 292	15 6		
Niobrara	13, 218	8,845	55		
Park	3,966	2,654	15	63	42
PlatteSheridan	57, 406 19, 085	38, 413 12, 771	100 75		
Sublette	19,003	5			
Sweetwater	13	. 9	3		
TetonUinta	988 178	661 119	10		
Washakie	238	159	10		
Weston	13, 234	8,855	30		
Reserve new farms		300 200			
Reserve appeals and corrections		200			
Total	425, 102	284, 954	964	63	-42
Total, commercial States	81, 323, 591	54, 905, 011		79, 075	52, 324
tioned)		34, 989			7, 676
Total U. S.	81, 323, 591	54, 940, 000		79, 075	60,000

(Sec. 375, 52 Stat, 66; 7 U.S.C. 1375. Interprets or applies secs. 334, 52 Stat. 54, 67 Stat 151; 7 U.S.C. 1334)

Done at Washington, D.C., this 30th day of June 1959.

CLARENCE D. PALMBY,
Associate Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-5574; Filed, July 1, 1959; 9:58 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Plum Order 5, Amdt. 2]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Grades

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter specified, and in the manner hercin provided. will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restriction on the handling of Late Tragedy, Kelsey, Late Santa Rosa, and Queen Ann plums grown in California.

It is, therefore, ordered as follows: The provisions in paragraph (b) (1) of \$936.618 (Plum Order 5; 24 F.R. 4901; 5237) are hereby amended to read as follows:

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no shipper shall ship from any shipping point during any day any package or container of any variety of plums, other than Tragedy, Eldorado, Late Tragedy, Kelsey, Late Santa Rosa, Queen Ann, Mariposa, Ace, and Elephant Heart unless such plums grade at least U.S. No. 1: Provided, That Duarte plums which otherwise grade U.S. No. 1 may be shipped if two-thirds (%) of the flesh of such plums has any degree or intensity of red color (including pink).

Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which

has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of said Plum Order 5; or (2) as releasing or extinguishing any violation of Plum Order 5 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C.

Dated July 2, 1959, to be effective on and after 12:01 a.m., P.s.t., July 8, 1959.

> FLOYD F. HEDLUND, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-5641; Filed, July 6; 1959; 9:12 a.m.]

[Plum Order 13]

PART 936-FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES **GROWN IN CALIFORNIA**

Regulation by Grades and Sizes § 936.627 Plum Order 13.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and

order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seg.) in that. as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an op-

views at this meeting; the recommenda-tion and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on June 30, 1959.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no shipper shall ship any package or container of Late Tragedy plums unless such plums grade at least U.S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade: Pro-vided, That, gum spots which do not cause serious damage shall not be considered as a grade defect with respect to such grade; and:

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a

5 x 6 standard pack;

(ii) If the plums are packed in any container other than a standard basket, sixty-six and two-thirds (66%) percent, by count, of the plums measure not less than one and eight-sixteenth (1%6) inches in diameter: Provided, That, individual containers in any lot may contain not more than fifty (50) percent. by count, of plums which measure less than one and eight-sixteenth (1%s) inches in diameter, if the average percent of such smaller sized plums in all containers in such lot does not exceed thirty-three and one-third (331/3) percent: And provided further, That, if the plums-are packed in a special plum box and are of a size not smaller than a cize that will pack a 81/2-row standard pack, they shall be deemed to meet the minimum size requirements of this subparagraph; and (iii) The diameters of the smallest

and largest plums in the package or container do not vary more than one-fourth inch: Provided, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "U.S. No. 1," "fairly uniform in size," "serious damage," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title; 23 F.R. 3509); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall

portunity to submit information and section 828.15 of the Agricultural Code of California; "6-row standard pack" shall mean that the top layer of the pack contains 39 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7-row standard pack" shall mean that the top layer of the pack contains 52 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7½-row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack: "81/2-row standard pack" shall mean that the top layer of the pack contains 72 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 936.143 sets forth the requirements-with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 2, 1959.

FLOYD F. HEDLUND, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-5642; Filed, July 6, 1959; 9:12 a.m.]

[Plum Order 14]

PART 936-FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Grades and Sizes § 936.628 Plum Order 14.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7-U.S.C. 601-674), and upon the basis of the recom-mendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limmean the special plum box set forth in itation of shipments of plums of the

variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on June 30, 1959.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no shipper shall ship any package or container of Kelsey plums unless such plums grade at least U.S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and:

 (i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 4 x 4 standard pack;

(ii) If the plums are packed in any container other than a standard basket, seventy-five (75) percent, by count, of the plums measure not less than two (2) inches in diameter: Provided, That, individual containers in any lot may contain not more than thirty-seven and one-half (37½) percent, by count, of plums which measure less than two (2) inches in diameter, if the average per-

cent of such smaller sized plums in all containers in such lot does not exceed twenty-five (25) percent: And provided further, That, if the plums are packed in a special plum box and are of a size not smaller than a size that will pack a 6-row standard pack, they shall be deemed to meet the minimum size requirements of this subparagraph; and

(iii) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: Provided, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "U.S. No. 1," "fairly uniform in size," "serious damage," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title; 23 F.R. 3509); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "6-row standard pack" shall mean that the top layer of the pack contains 39 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7-row standard pack" shall mean that the top layer of the pack contains 52 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "71/2-row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack: "81/2-row standard pack" shall mean that the top layer of the pack contains 72 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 2, 1959.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 59-5643; Filed, July 6, 1959; 9:12 a.m.]

[Plum Order 15]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Sizes § 936.629 Plum Order 15.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on June 30, 1959.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no shipper shall ship any package or container of Sharkey, President, Laroda, or Late Duarte plums except in accordance with the following terms and conditions:

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 4 x 5

standard pack;

(ii) If the plums are packed in any container other than a standard basket, sixty-six and two-thirds (66%) percent, by count, of the plums measure not less than one and thirteen-sixteenths (113/16) inches in diameter: Provided, That, individual containers in any lot may contain not more than fifty (50) percent, by count, of plums which measure less than one and thirteen-sixteenths (113/16) inches in diameter, if the average percent of such smaller sized plums in all containers in such lot does not exceed thirtythree and one-third (331/3) percent: And provided further, That, if the plums are packed in a special plum box and are of a size not smaller than a size that will pack a 7-row standard pack, they shall be deemed to meet the minimum size requirements of this subparagraph; and

(iii) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: *Provided*, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to

meet this requirement.

(2) When used in this section, "U.S. No. 1," "fairly uniform in size," "serious damage," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for-Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title; 23 F.R. 3509); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "6-row standard pack" shall mean that the top layer of the pack contains 39 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack: "7-row standard pack" shall mean that the top layer of the pack contains 52 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7½-row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "8½-row standard-pack" shall mean that the top layer of the pack contains 72 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same

meaning as when used in the amended marketing agreement and order.

(3) Section 936.143-sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. $601-\underline{6}74$)

, Dated: July 2, 1959.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 59-5644; Filed, July 6, 1959; 9:12 a.m.]

[Plum Order 16]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Grades and Sizes § 936.630 Plum Order 16.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936); regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and con-trary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Com-

mittee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommenda-tion and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on June 30, 1959.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no shipper shall ship any package or container of Late Santa Rosa plums unless such plums grade at least U.S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and:

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 4 x 5 standard

pack;

(ii) If the plums are packed in any container other than a standard basket, sixty-six and two-thirds (66%) percent, by count, of the plums measure not less than one and thirteen-sixteenth (11%) inches in diameter: Provided, That, individual containers in any lot may contain not more than fifty (50) percent, by count, of plums which measure less than one and thirteen-sixteenth (113/16) inches in diameter, if the average percent of such smaller sized plums in all containers in such lot does not exceed thirty-three and one-third (331/3) per-cent: And provided further, That, if the plums are packed in a special plum box and are of a size not smaller than a size that will pack a 7-row standard pack, they shall be deemed to meet the minimum size requirements of this subparagraph; and
(iii) The diameters of the smallest and

(iii) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: Provided, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to

meet this requirement.

(2) When used in this section, "U.S. No. 1," "fairly uniform in size," "serious damage," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title; 23 F.R. 3509); "standard basket" shall mean the standard basket set forth in paragraph 1 of

section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "6-row standard pack" shall mean that the top layer of the pack contains 39 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7-row standard pack" shall mean that the top layer of the pack contains 52 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7½-row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "8½-row standard pack" shall mean that the top layer of the pack contains 72 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this regulation. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July_2, 1959.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 59-5645; Filed, July 6, 1959; 9:12 a.m.]

[Plum Order 17]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Grades and Sizes § 936.631 Plum Order 17.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity

Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time: and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting: the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held: shipments of the current crop of such plums are expected to begin on or about the effective date hereof: this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on June 30, 1959.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no shipper shall ship from any shipping point during any day any package or container of Queen Ann plums unless such plums grade at least U.S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and, except to the extent otherwise permitted under this paragraph:

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 4 x 4 standard pack;

(ii) If the plums are packed in any container other than a standard basket, seventy-five (75) percent, by count, of the plums measure not less than two (2) inches in diameter: Provided, That, individual containers in any lot may contain not more than thirty-seven and one-half (37½) percent, by count, of plums which measure less than two (2) inches in diameter, if the average percentage of such smaller sized plum's in all containers in such lot does not exceed twenty-five (25) percent: And provided further, That, if the plums are packed in a special plum box and are of a size not smaller than a size that will pack a 6-row standard pack, they shall be deemed to meet the minimum size requirements of this subparagraph; and

(iii) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: *Provided*, That, a total of not more than five (5) percent, by count, of the plums in the package or container may

fail to meet this requirement.

(2) During each day of the aforesaid period, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed thirty-three and one-third (33½) percent of the number of the same type of packages or containers of plums shipped by such shipper which meet the size requirement of said subparagraph (1) of this paragraph and all such smaller plums meet the following applicable requirements:

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 4 x 5

standard pack;

(ii) If the plums are packed in any container other than a standard basket, sixty-six and two-thirds (66%) percent, by count, of the plums measure not less than one and thirteen-sixteenth (113/16) inches in diameter: Provided, That, individual containers in any lot may contain not more than fifty (50) percent, by count, of plums which measure less than one and thirteen-sixteenth (113/16) inches in diameter, if the average percentage of such smaller sized plums in all containers in such lot does not exceed thirty-three and one-third (331/3) percent: And provided further, That, if the plums are packed in a special plum box and are of a size not smaller than a size that will pack a 7-row standard pack, they shall be deemed to meet the minimum requirements of this subparagraph; and

(iji) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: Provided, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to

meet this requirement.

(3) If any shipper, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than the size prescribed in subparagraph (1) of this paragraph, the quantity of such undershipment may be shipped by such shipper

only from such shipping point during the next 2 succeeding calendar days: *Provided*, That, shipment is also made on the particular calendar day by such shipper of the full quantity of such smaller sized plums such shipper is authorized to ship on such day under subparagraph (2) of this paragraph.

(4) When used in this section, "U.S. No. 1," "fairly uniform in size," "serious damage," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.-1537 of this title; 23 F.R. 3509); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "6-row standard pack" shall mean that the top layer of the pack contains 39 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7-row standard pack" shall mean that the top layer of the pack contains 52 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "7½-row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "81/2-row standard pack" shall mean that the top layer of the pack contains 72 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(5) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 2, 1959.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 59-5646; Filed, July 6, 1959; 9:13 a.m.]

[Lemon Reg. 798, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 953.905 (Lemon Regulation 798; 24 F.R. 5239) are hereby amended to read as follows:

(ii) District 2: 465,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 1, 1959.

FLOYD F. HEDLUND, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-5602; Filed, July 6, 1959; 8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division,
Department of Labor

PART 681—HOMEWORKERS IN CERTAIN INDUSTRIES IN PUERTO RICO

Piece Rates for Hand-Lacing of Certain Plastic and Leather Products

On June 2, 1959, notice was published in the Federal Register (24 F.R. 4496) that the Administrator of the Wage and Hour and Public Contracts Divisions, proposed to amend 29 CFR

Part 681, to increase the minimum piece rates for homeworkers in the Leather, Leather Goods, and Related Products Industry, and the Shoe and Related Products Industry in Puerto Rico. The notice provided a period of fifteen days within which interested persons might submit data, views, or arguments pertaining to the proposed regulations.

The only comment received, though opposed to homework in principle, did not object to the proposed increase in piece rates. Upon consideration of all relevant matter, I conclude that the amendment should be adopted as proposed

The amendment is based on section 6(a)(2) of the Fair Labor Standards Act of 1938 (52 Stat. 1062, as amended; 29 U.S.C. 206) which requires in part that homeworkers in Puerto Rico be paid not less than the minimum piece rate prescribed by regulation or order. Such minimum piece rates are required to be commensurate with, and to be paid in lieu of, the minimum hourly wage rates applicable under section 6 of the Act. Since the minimum hourly wage rates for employees in the Leather, Leather Goods, and Related Products industry (24 F.R. 3792), and the Shoe and Related Products Industry (24 F.R. 3791), have recently been increased, the increases in piece rates prescribed herein are now required.

Accordingly, pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003), and under the authority of sections 6 and 11 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, as amended, 1066 as amended; 29 U.S.C. 206, 211), Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), 29 CFR Part 681 is hereby amended as follows:

1. Paragraph (c) of § 681.9 is amended to read as follows:

(c) Piece rates for the hand-lacing of plastic and leather wallets, leather wallet covers, and leather moccasin plugs. A minimum piece rate of $7\%_{100}$ of one cent per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing, single stitch, with plastic lacing material, of leather wallets and leather wallet covers; a minimum piece rate of 85/100 of one cent per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing. single stitch, with plastic Iacing material of leather moccasin plugs; a minimum piece rate of 1 and 71/100 cents per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing, double stitch, with plastic lacing material, of leather wallets and leather wallet covers; and a minimum piece rate of 2 and 13/100 cents per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in hand-lacing, double stitch, with plastic lacing material, of plastic wallets.

(Secs. 6, 11, 52 Stat. 1062, as amended, 1066 as amended; 29 U.S.C. 206, 211)

This amendment shall take effect on August 7, 1959.

Signed at Washington, D.C., this 1st day of July 1959.

CLARENCE T. LUNDQUIST,

Administrator.

[F.R. Doc. 59-5650; Filed, July 6, 1959; 9:39 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7332 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

United States Bedding Co.

Subpart—Advertising falsely or misleadingly: § 13.70 Fictitious or misleading guarantees. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception; § 13.1056 Preticketing merchandise misleadingly. Subpart—Misbranding or mislabeling: § 13.1280 Price. Subpart—Misrepresenting oneself and goods—Prices: § 13.1811 Fictitious preticketing. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 6, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, The United States Bedding Company, St. Paul,

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a manufacturer in St. Paul, Minn., with attaching to its mattresses, labels bearing fictitious prices, and with placing in the hands of dealers for their use, newspaper mats representing falsely that some of its mattresses carried a full ten-year guarantee.

Minn., Docket 7332, June 2, 1959]

Based on a consent order, the hearing examiner made his initial decision and order to cease and desist which became on June 2 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent The United States Bedding Company, a corporation, and its officers, and respondent's agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of mattresses or other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing by preticketing, or in any other manner, that certain amounts

are the regular or usual retail prices of their mattresses or other merchandise when such amounts are in excess of the prices at which their mattresses or other merchandise are regularly and customarily sold at retail.

2. Representing, directly or by implication, that their mattresses or other merchandise are guaranteed unless the nature of the guarantee and the manner in which the guarantor will perform are fully and clearly set forth.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondent The United States Bedding Company, a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order contained in said initial decision.

Isssued: June 1, 1959.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F.R. Doc. 59-5547; Filed, July 6, 1959; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I-Post Office Department

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Discontinuance of Insurance for Postal Union Printed Material for Canada

Notice of proposed amendment to § 168.5 Individual country regulations, discontinuing the insurance service on printed matter for Canada was published in the Federal Register of May 27, 1959, at page 4264, as Federal Register document 59-4449.

No comments have been received by the Department with respect to the proposed amendment.

Accordingly, the amendment is adopted without change. As adopted, the amendment to § 168.5 shall read as follows:

In § 168.5 Individual country regulations, as published in the Federal Resister of March 20, 1959, at pages 2119-2195 as Federal Register document 59-2388, the country "Canada (Including Newfoundland and Labrador)" as amended by Federal Register document 59-4137, 24 F.R. 3991, is further amended by striking out the item "Insurance" under postal union mail and inserting in lieu thereof the following:

Insurance. Eight-ounce merchandise packages may be insured. For fees and other conditions see "Insurance" under "Parcel Post".

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON, General Counsel.

[F.R. Doc. 59-5591; Filed, July 6, 1959; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Pinto Pass, Alabama

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.493 governing the operation of the Alabama Dry Dock and Shipbuilding Company railroad bridge across Pinto Pass, Mobile, Alabama, is hereby revoked, the bridge having been replaced by a fixed bridge, as follows:

§ 203.493 Pinto Pass, Ala.; Alabama Dry Dock and Shipbuilding Company railroad bridge, Mobile, Ala.

[Revoked]

[Regs. June 23, 1959, 285/91 (Pinto Pass, Alabama)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

R. V. Lee,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59-5582; Filed, July 6, 1959; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency
[Reg. Docket 47; Amdt. 125]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. The Administrator finds that a situation exists requiring immediate action in the interest of safety, that notice and public procedure hereon are impracticable, and that good cause exists for making this amendment effective on less than thirty days' notice.

RULES AND REGULATIONS

1. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for an route operation in the particular area or as set forth below.

	Transition	_	-	Ceiling	Condition					
		Course and	Minimum		2-engin	agine or less ts More than 65 knots 0-1 NA	More than 2-engine,			
From—	То	distance	altitude (feet)	Condition	65 knots or less .		48			
CDR VOR	CDR "H"	017°—18.9	5600	T-dn C-dn A-dn.	300-1 700-1 800-2	NA NA NA	NA NA NA			

Procedure turn W side of final approach crs—357° Outbud, 177° Inbud, 4600′ within 10 miles.

Facility on airport. Minimum altitude over facility 4000′.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile turn right climb to 4600′ on course 357° within

City, Chadron; State, Nebr.; Airport Name, Chadron; Elev., 3312'; Fac. Class, "H" (non-Federal facility); Ident., CDR; Procedure No. 1, Amdt. 1; Eff. Date, 1 Aug. 59; Sup. Amdt. No. Orig.; Dated, 18 Apr. 59

Ft. Riley Int*	FRI"II"	Direct	2800	T-dn	300-1	300-1	200-14
,	-			C-dn# S-dn-04	600-1 600-1	600-1 600-1	600-112 600-1
				A-dn	1500-2	. 1500-2	1500-2

Procedure turn East side of crs, 207° Outbound, 027° Inbound, 2800′ within 10 mi.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 613°—1.8 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing FRI "H", climb to 2800′ on a crs of 050° from the "H" within 20 mi.
CAUTION: Restricted area R-197 adjacent to airport northwest. Small arms firing range 2.4 miles Northi.
*Int V-4 and R-320 EMP VOR.
*All circling anneageles will be made to the East of the circuit.

#All circling approaches will be made to the East of the airport. See caution note.

City, Ft. Riley; State, Kans.; Airport Name, Marshall AAF; Elev., 1062'; Fac. Class, H; Ident., FRI; Procedure No. 1, Amdt. Orig.; Eff. Date, 1 Aug. 59

Dallas RBn Grand Prairie RBn Britton VOR Stadium Int Roanoke Int	LOM. LOM. LOM. LOM. LOM: LOM (Final)	Direct	1900	T-dn C-dn. S-dn-13 A-dn.	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1/2 400-1 800-2
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Radar Terminal Area transition altitude, 2000' within 20 mi. Radar control must provide 3 mi or 1000' vertical separation; or 3 to 5 mi and 500' vertical separation from radio towers 2349' msl 15 mi SSE, 1743' msl 12 mi WSW, 1221'

Insl 6 mi N.
Procedure turn N side NW crs, 309 Outbnd, 129 Inbnd, 2000' within 10 mi. (Nonstandard due to ATC requirements.)
Minimum altitude over LOM inbnd final, 2000'.
Crs and distance, facility to airport, 129°—4.6 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 mi after passing LOM, turn right, proceed to Grand Prairie MHW, climbing to 2000'.
CAUTION: Radio tower 1221' MSL located 4.3 mi ENE of outer marker.

City, Ft. Worth; State, Tex.; Airport Name, Amon Carter; Elev., 568'; Fac. Class, LOM; Ident. AC; Procedure No. 1, Amdt. 7; Eff. Date, 1 Aug. 59; Sup. Amdt. No. 6 (ADF portion of Comb. ILS-ADF); Dated, 26 Sept. 57

2. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition						
		Course and	Minimum		2-engin	e or less	More than 2-engine,
From-	То—	distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	mana than
Sargo Int	Abeam LPT RBn (Final) SAN-TVOR SAN-TVOR R-272 at 5 mi from SAN-TVOR SAN-TVOR SAN-TVOR SAN-TVOR SAN-TVOR	092°—8.4 Direct 190°—5.0 Direct Direct	1500 1500	T-dn C-dn S-dn-9 A-dn	300-1 800-2 600-1 800-2	300-1 800-2 600-1 800-2	#200-1/4 800-2 600-1 800-2

Procedure turn S side crs, 272° Outbud, 092° Inbud, 1500′ within 10 miles.

Minimum altitude over facility on final approach crs, 600°*.

Crs and distance, breakoff point to approach end Rnyv 9, 092°—1.4 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, turn right, climb to 2000′ on SAN TVOR R-137 to Coronado RBn/FM or, when directed by ATC, if visual contact not established abeam Loma Portal RBn, make left climbing turn, climb to 2500′ on SAN TVOR R-325 to La Jolla Int.

#300-1 required for takeoff on all runways except 27.

*On La Jolla transition recommended that aircraft cross final approach radial on 190 heading, then execute approximately 270° clockwise turn to Inbud crs of 092°.

**Descend below 700′ MSL NA until abeam Loma Portal RBn.

City, San Diego; State, Calif.; Airport Name, Lindbergh Field; Elev., 15'; Fac. Class, TVOR; Ident., SAN; Procedure No. TerVOR-9, Amdt. 3; Eff. Date, 1 Aug. 59; Sup. Amdt. No. 2; Dated, 13 June 59

3. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

,	Celling and visibility minimums							
		G	Minimum		2-engine	or less	More than 2-engine.	
From-	To-	Course and distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	more than 65 knots	
Dallas RBn	LOM	Direct	2200 1900 2800 2000 2700	T-dn C-dn S-dn-13* A-dn	30)-1 40)-1 20)-1/2 60)-2	300-1 500-1 200-1/2 600-2	*200-1/2 500-1/4 200-1/2 600-2	

Radar Terminal Area transition altitude, 2000' within 20 mi.
Radar control must provide 3 mj or 1000' vertical separation; or 3 to 5 mi and 500' vertical separation from radio towers 2349' msl 15 mi SSE, 1743' msl 12 mi WSW, 1221'

Radar control must provide 3 mj or 1000' vertical separation; or 3 to 5 ml and 500 vertical separation; has a final sour vertical separation; or 3 to 5 ml and 500 vertical separation; has a final sour vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 3 to 5 ml and 500 vertical separation; or 5 to 5 ml and 500 vertical separation; or 5 to 5 ml and 500 vertical separation; or 5 to 5 vertical separation; or 5 to 5 vertical separation; or 5 vertical separation; or

City, Ft. Worth; State, Tex.; Airport Name, Amon Carter; Elev., 568'; Fac. Class, ILS; Ident., I-ACF; Procedure No. ILS-13, Amdt. 7; Eff. Date, 1 Aug. 59; Sup. Amdt. No. 6 (ILS portion of Comb. ILS-ADF); Dated, 26 Sept. 57

These procedures shall become effective on the dates indicated on the procedures.

(Secs. 313(a), 307(c); 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on June 26, 1959.

Alan L. Dean, Acting Administrator.

[F.R. Doc. 59-5537; Filed, July 6, 1959; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I-Interstate Commerce Commission.

INo. 329691

PART 156—REGULATIONS GOVERN-ING THE REPORTING OF PROP-ERTY CHANGES; PIPELINE CAR-RIERS

Recording and Reporting Property Changes for Valuation Purposes

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 22d day of June A.D. 1959.

Having under consideration the regulations for the reporting of property changes by pipeline carriers for valuation purposes pursuant to the provisions of section 19a of the Interstate Commerce Act, as amended; and,

It appearing that a notice of proposed rule making was issued March 25, 1959, and published in the FEDERAL REGISTER on April 3, 1959 (24 F.R. 2592), by the terms of which any interested person could on or before April 30, 1959 submit written views or arguments concerning certain amendments to Revised Supplement No. 8 to Valuation Order No. 3, Second Revised Issue, details of which amendments were attached to the notice; and upon consideration of views, arguments, and other representations which were timely filed in response to the said notice and giving effect to further minor changes suggested in such responses:

No. 131---5

It is ordered, that Regulations Governing the Reporting of Property Changes: Pipeline Carriers, as prescribed by an order entered May 23, 1958, be, and they are hereby, canceled effective July 1, 1959, in conformity with which the regulations in this part are revoked.

It is further ordered, that the regulations so canceled, modified only as to matters detailed in the notice dated March 25, 1959 or otherwise developed in the rule making proceedings herein, be, and they are hereby, reissued in the form attached hereto and by this reference made a part of this order, to become effective July 1, 1959, which reissued regulations may be cited as Revised Supplement No. 8 to Valuation Order No. 3. Second Revised Issue, 1959 Edition, and which regulations should be inserted in Title 49 of the Code of Federal Regulations as Part 156-Regulations Governing the Reporting of Property Changes; Pipeline Carriers.

It is further ordered, that all carriers by pipeline subject to provisions of the Interstate Commerce Act shall comply with the regulations so reissued in reporting physical property which was installed, retired, or otherwise changed on and after January 1, 1958.

And it is further ordered, that this order shall be served on each pipeline carrier which is subject to its provisions, and each lessor thereof, and on every trustee, receiver, executor, administrator, or assignee of any such pipeline carrier or lessor, and that notice of the order including the attachments shall be given to the general public by depositing

copies thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing the order and attachments with the Director, Office of the Federal Register.

By the Commission, Division 2.

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HAROLD D. McCOY, [SEAL] -

Secretary. GENERAL

Sec. 156.0 Regulations prescribed. 156.1 Prescribed forms. 156.2 Preparation of forms. 156.3 Copies required. 156.4 Geographical identity of property changes. Carrier and noncarrier property de-156.5 fined. 156.6 Reporting changes by class of carrier property.
Responsibility for filing forms. 1567 156.8 Reporting period and filing date. 156.9 Out-of-service property. 156.10 Transfers between category of property. 156.11 Exceptions. 156.12 Reconciliations.

156.13 Valuation sections.

Corrections of additions or retire-156.14

ments previously reported.
Ancillary documents.

156.15 Assembling and numbering forms. 156.16

156.17 Location sketches.

156.18 Amendments and deviations.

FORMS INSTRUCTIONS

156.100 Property changes other than land and rights-of-way.

156.101 Land and rights-of-way property

changes.

156.102 Summary of original cost.

Summary of cost of reproduction new and cost of reproduction new 156.103 less depreciation.

Instructions Covering the Processing of Purchase, Sale, Merger, Consolidation or Reorganization Actions

Sec.

156.200 Introduction.

156.201 Actions between common carriers affecting property representing one or more complete valuation sections.

156.202 Actions between common carriers affecting property representing less than a complete valuation section.

156.203 Actions between common carriers and individuals, firms, corporations or others not common carriers.

156.204 Purchases and sales of jointly owned or jointly used agent operated property.

156.205 Purchases and sales of jointly owned or jointly used nonagent operated property.

FORMS

156.300 List of forms.

AUTHORITY: §§ 156.0 to 156.300 issued under sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interpret or apply section 19a, 37 Stat. 701, as amended; 49 U.S.C. 19a. The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

GENERAL

§ 156.0 Regulations prescribed.

Each common carrier by pipeline subject to provisions of the Interstate Commerce Act is required to comply with regulations in this part in reporting property changes subsequent to the date fixed for the basic inventory of its property. This does not supersede provisions of Valuation Order No. 3-Second Revised Issue, effective January 1, 1919 (Part 155 of this chapter) requiring all carriers to record and report property changes. Those requirements are adapted by regulations in this part to the terminology and property units peculiar to pipeline carriers, as contemplated by the provisions of sec. 23 of Valuation Order No. 3—Second Revised Issue (155.23 of this chapter).

§ 156.1 Prescribed forms.

Facsimiles of ACV Forms No. 1, 2, 3 and 4 are presented in Appendices A, B, C and D, respectively, and their use is prescribed as outlined herein.

§ 156.2 Preparation of forms.

Detailed instructions concerning the information to be reported on the forms are set out in §§ 156.100 to 156.103, and §§ 156.200 to 156.205.

§ 156.3 Copies required.

The prescribed forms shall be filed with the Commission in an original only and one copy shall be retained by carriers for examination by Commission representatives. Copies of forms prepared by other than filing carriers, appropriately amended by filing carriers to indicate their identity and their designated valuation section numbers, may be filed in lieu of originals.

§ 156.4 Geographical identity of property changes.

Changes relating to property which is not normally moved from place to place, or mobile property such as vehicles or other work equipment or other_property which services a particular valuation section on a reasonably permanent basis, shall be identified with the valuation section and State in which the property is physically located at the end of the reporting period. Changes relating to mobile property servicing more than one valuation section of a State shall be reported as unallocated for the State in which such valuation sections are located. If mobile property services more than one State, changes affecting same shall be reported as unallocated for the carrier as a whole without State identity.

§ 156.5 Carrier and noncarrier property defined.

Carrier property is that which is used exclusively for common-carrier purposes. Noncarrier property is that which is used exclusively for purposes other than those of a common carrier. These definitions are to be interpreted as disregarding incidental or immaterial use.

§ 156.6 Reporting changes by class of carrier property.

Property changes shall be reported separately by use and ownership category of carrier property. These are defined as follows:

- (a) Class 1: Property owned by a common carrier and used for common-carrier purposes. This class of property includes:
- (1) Wholly owned and wholly used by the same carrier.
- (2) Jointly owned and used by the same carriers.
- (b) Class 2: Property owned by a common carrier but used by another common carrier for common-carrier purposes. This class of property includes:
- (1) Wholly owned by one carrier but wholly used by another carrier.
- (2) Wholly owned by one carrier but jointly used by other carriers.
- (3) Jointly owned by carriers but wholly used by another carrier.
- (4) Jointly owned by carriers but jointly used by other carriers.
- (c) Class 3: Property used by a common carrier for common-carrier purposes but owned by another common carrier. This class of property includes:
- (1) Wholly used by one carrier but wholly owned by another carrier.
- (2) Wholly used by one carrier but jointly owned by other carriers.
- (3) Jointly used by carriers but wholly owned by another carrier.
- (4) Jointly used by carriers but jointly owned by other carriers.
- (d) Class 4: Property used by a common carrier for common-carrier purposes but owned by other than a common carrier. This class of property includes:
- (1) Wholly used by a carrier but wholly owned by a noncarrier.
- (2) Wholly used by a carrier but jointly owned by noncarriers.

- (3) Jointly used by carriers but wholly owned by a noncarrier.
- (4) Jointly used by carriers but jointly owned by noncarriers.
- (e) All possible ownership and use combinations have not been included in the examples set out under the four classes of property defined above. Questions concerning those omitted shall be submitted to the Commission by carriers on an individual case basis.

§ 156.7 Responsibility for filing forms,

(a) Class 1 property:

(1) ACV Forms No. 1, 2, 3 and 4 shall

be filed by the owning carrier.

(2) For agent operated jointly owned and used property, ACV Forms No. 1, 2 and 4 shall be prepared for the property as a whole by the agent operator. In addition to preparing these ACV Forms No. 1, 2 and 4, agent operators shall also prepare, for jointly owned and used property, ACV Forms No. 1 and 2 showing the proportionate share of original cost changes for the reporting period applicable to each jointly owning and using carrier. Separate forms shall be prepared for each state and the identity of the jointly owning and using carrier shall be entered on the Report Filed by _____, Property Owned by ____, and Property Used by lines of the forms. The caption shall be entered in the body of the forms.

"Proportionate Share of the (Name of the system) Jointly Owned and Used" Where acquisitions have occurred during the reporting period, enter the caption "Acquisitions" in column 6 of ACV Form No. 1, and in columns 6 and 13 of ACV Form No. 2. The affected primary accounts shall then be listed in column 1 of ACV Form No. 1 and in columns 1 and 11 of ACV Form No. 2. The valuation sections in which property changes have occurred shall be set out under the appropriate account numbers, and the original cost of additions and retirements applicable thereto shall be entered in the Original Cost columns of ACV Forms No. 1 and 2. Acquisitions, if any, shall be entered in the columns so headed. Totals shall be shown in these columns for each account. See Appen-

dix F 1 for sample forms. (3) Agent operators shall also prepare for jointly owned and used property ACV Form No. 4 showing the proportionate share of cost of reproduction new and cost of reproduction new less depreciation, both including overhead, as of the end of the reporting period, applicable to each jointly owning and using carrier. A separate form shall be prepared for each state and the identity of the jointly owning and using carrier shall be entered on the Report Filed by _____, Property Owned by _____, and Property .____ lines of the form. Used by ___. The caption "Proportionate Share of the (Name of the system) Jointly Owned and Used" shall be entered in the body of the form. The valuation sections of the state shall be listed in column 9 of the form and the related cost of reproduction new and cost of reproduction new less depreciation shall be recorded in columns 21 and 22, respectively. See Appendix F 1

for sample form.

^{*}Filed as part of original document.

- (4) Agent operators shall file the ACV Forms No. 1, 2 and 4, prepared by them in accordance with the preceding paragraphs, with the Commission where they will be reviewed and retained. Upon the completion of this review agent operators will be so advised and will be provided with photocopies of all ACV Forms No. 1, 2 and 4 on which corrections are made by the Commission. Each jointly owning and using carrier shall then be provided by agent operators with two copies of ACV Forms No. 1, 2 and 4, other than those prepared for jointly owned and used property as a whole, one to be retained by the recipient carrier and the other to be filed with the Commission. Copies of ACV Forms No. 1, 2 and 4 prepared by agent operators for jointly owned and used property as a whole may be made available to jointly owning and using carriers by arrangement with agent
- (5) For nonagent operated jointly owned and used property, ACV Forms No. 1, 2 and 4 shall be prepared by one of the jointly owning and using carriers, and two copies of these forms shall be mailed by the carrier preparing them to each jointly owning and using carrier. The recipient carrier shall retain one copy of these forms and shall file the other with the Commission.
- (6) For both agent and nonagent operated jointly owned and used property, the proportionate share of original cost changes reported on ACV Forms No. 1 and 2 shall be included in amounts reported on ACV Form No. 3, and the proportionate share of cost of reproduction new and cost of reproduction new less depreciation shall be listed on the ACV Form No. 4 summary.

(b) Class 2 and 3 property:

(1) ACV Forms No. 1, 2, 3 and 4 shall be filed by the owning carrier for class 2 property and by the using carrier for class 3 property. ACV Forms No. 1, 2 and 4 may be prepared by a wholly owning but not using carrier, or by a wholly using but not owning carrier. Two copies of these forms shall be mailed by the carrier preparing them to the wholly owning or to the wholly using carrier, as

appropriate.

(2) For agent operated jointly owned but not used property, or for agent operated jointly used but not owned property, ACV Forms No. 1, 2 and 4 shall be prepared for the property as a whole by the agent operator. In addition to preparing these ACV Forms No. 1, 2 and 4, agent operators shall also prepare, for jointly owned but not used and for jointly used but not owned property, ACV Forms No. 1 and 2 showing the proportionate share of original cost changes for the reporting period applicable to each jointly owning or jointly using carrier. Separate forms shall be prepared for each state. For Class 2 property, the identity of the jointly owning but not using carrier shall be entered on the Report Filed by _____ and Property Owned by lines, and the identity of the using carrier, or carriers, shall be entered on the Property Used by ---- line. For Class 3 property. the identity of the jointly using but not owning carrier shall be entered on the

- Report Filed by _____ and Property Used by _____ lines, and the identity of the owning carrier, or carriers, shall be entered on the Property Owned by _____ line. The caption "Proportionate Share of the (Name of the system) Jointly Owned but not Used, or Jointly Used but not Owned," as appropriate, shall be entered in the body of the forms. Where acquisitions have occurred during the reporting period, enter the caption "Acquisitions" in column 6 of ACV Form No. 1, and in columns 6 and 13 of ACV Form No. 2. The affected primary accounts shall then be listed in column 1 of ACV Form No. 1 and in columns 1 and 11 of ACV Form No. 2. The valuation sections in which property changes have occurred shall be set out under the appropriate account numbers, and the original cost of additions and retirements applicable thereto shall be entered in the Original Cost columns of ACV Forms No. 1 and 2. Acquisitions, if any, shall be entered in the columns so headed. Totals shall be shown in these columns for each account.
- (3) Agent operators shall also prepare for jointly owned but not used, and for jointly used but not owned, property ACV Form No. 4 showing the proportionate share of cost of reproduction new and cost of reproduction new less depreciation, both including overhead, as of the end of the reporting period, applicable to each jointly owning but not using, and jointly using but not owning. carrier. A separate form shall be prepared for each state. The lines Report Filed by _____, Property Owned by _____, and Property Used by ____ shall be filled in as directed in the preceding paragraph, and the caption "Proportionate Share of the (Name of the system) Jointly Owned but not Used," or "Jointly Used but not Owned," as appropriate, shall be entered in the body of the form. The valuation sections of the State shall be listed in column 9 of the form and the related cost of reproduction new and cost of reproduction new less depreciation shall be reported in columns 21 and 22. respectively.
- (4) Agent operators shall file the ACV Forms No. 1, 2 and 4, prepared by them in accordance with the preceding paragraphs, with the Commission where they will be reviewed and retained. Upon the completion of this review agent operators will be so advised and will be provided with photocopies of all ACV Forms No. 1, 2 and 4 on which corrections are made by the Commission. Each jointly owning but not using, and each jointly using but not owning carrier shall then be provided by agent operators with two copies of ACV Forms No. 1, 2 and 4, other than those prepared for jointly owned but not used and jointly used but not owned property as a whole, one to be retained by the recipient carrier and the other to be filed with the Commission. Copies of ACV Forms No. 1, 2 and 4 prepared by agent operators for jointly owned but not used, or for jointly used but not owned property as a whole may be made available to jointly owning or jointly using carriers by arrangement with agent operators.

- (5) For nonagent operated jointly owned but not used or jointly used but not owned property, ACV Forms No. 1, 2 and 4 shall be prepared by one of the jointly owning or jointly using carriers, and two copies of these forms shall be mailed by the carrier preparing them to each jointly owning or jointly using carrier. The recipient carrier shall retain one copy of these forms and shall file the other with the Commission.
- (6) For both agent and nonagent operated jointly owned but not used, or jointly used but not owned property, the proportionate share of original cost changes reported on ACV Forms No. 1 and 2 shall be included in amounts reported on ACV Form No. 3, and the proportionate share of cost of reproduction new and cost of reproduction new less depreciation shall be listed on the ACV Form No. 4 summary.

(c) Class 4 property:

(1) ACV Forms No. 1, 2, 3 and 4 shall be filed by the using carrier. (2) For agent operated jointly used

but not owned property, ACV Forms No. 1, 2 and 4 shall be prepared for the property as a whole by the agent operator. In addition to preparing these ACV Forms No. 1, 2 and 4, agent operators shall also prepare, for jointly used but not owned property, ACV Forms No. 1 and 2 showing the proportionate share of original cost changes for the reporting period applicable to each jointly using carrier. Separate forms shall be prepared for each state. The identity of the jointly using but not owning carrier shall be entered on the Report Filed by ____and Property Used .____ lines of the forms, and the identity of the owner, or owners, of the property shall be entered on the Property Owned by _____ line of the form. The caption "Proportionate Share of the (Name of the system) Jointly Used but not Owned" shall be entered in the body of the forms. Where acquisitions have occurred during the reporting period, enter the caption "Acquisitions" in column 6 of ACV Form No. 1, and in columns 6 and 13 of ACV Form No. 2. The affected primary accounts shall then be listed in column 1 of ACV Form No. 1 and in columns 1 and 11 of ACV Form No. 2. The valuation sections in which property changes have occurred shall be set out under the appropriate account numbers, and the original cost of additions and retirements applicable thereto shall be entered in the Original Cost columns of ACV Forms No. 1 and 2. Acquisitions, if any, shall be entered in the columns so headed. Totals shall be shown in these columns for each account.

(3) Agent operators shall also prepare for jointly used but not owned property ACV Form No. 4 showing the proportionate share of cost of reproduction new and cost of reproduction new less depreciation, both including overhead, as of the end of the reporting period, applicable to each jointly using but not owning carrier. A separate form shall be prepared for each state. The identity of the jointly using but not owning carrier shall be entered on the Report Filed and Property Used by lines of the form, and the identity of the owner, or owners, of the property shall be entered on the Property Owned by ______ line of the form. The caption "Proportionate Share of the (Name of the system) Jointly Used but not Owned" shall be entered in the body of the form. The valuation sections of the state shall be listed in column 9 of the form and the related cost of reproduction new and cost of reproduction new less depreciation shall be recorded in columns 21 and 22, respectively.

(4) Agent operators shall file the ACV Forms No. 1, 2 and 4, prepared by them in accordance with the preceding paragraphs, with the Commission where they will be reviewed and retained. Upon the completion of this review agent operators will be so advised and will be provided with photocopies of all ACV Forms No. 1, 2 and 4 on which corrections are made by the Commission. Each jointly using but not owning carrier shall then be provided by agent operators with two copies of ACV Forms No. 1, 2 and 4, other than those prepared for jointly used but not owned property as a whole, one to be retained by the recipient carrier and the other to be filed with the Commission. Copies of ACV Forms No. 1, 2 and 4 prepared by agent operators for jointly used but not owned property as a whole may be made available to jointly using but not owning carriers by arrangement with agent operators.

(5) For nonagent operated jointly used but not owned property, ACV Forms No. 1, 2 and 4 shall be prepared by one of the jointly using carriers, and two copies of these forms shall be mailed by the carrier preparing them to each jointly using carrier. The recipient carrier shall retain one copy of these forms and shall file the other with the

Commission.

(6) For both agent and nonagent operated jointly used but not owned property, the proportionate share of original cost changes reported on ACV Forms No. 1 and 2 shall be included in amounts reported on ACV Form No. 3, and the proportionate share of cost of reproduction new and cost of reproduction new less depreciation shall be listed on the ACV Form No. 4 summary.

(d) Forms filed with the Commission shall report all property changes whether made by the owning or by the using

carrier.

(e) To assure the prompt review and early return by the Commission of the ACV Forms pertaining to agent operated property required by this Section to be mailed to the Commission, such forms shall be mailed as soon after the close of the reporting year as practicable.

(f) A summary by class of property shall be filed by each carrier on ACV Form No. 4, prepared in accordance with § 156.103 (d) and (e).

§ 156.8 Reporting period and filing date.

The forms shall be prepared as of December 31 of each year, shall be filed with the Commission not later than the next succeeding September 30, and shall cover property changes occurring since the date of basic inventory or since the date of the lates previously filed forms.

§ 156.9 Out-of-service property.

Property temporarily out of service, and held under a definite plan for pipeline operations within a reasonable period of time, shall not be reported as a retirement or reported separately. Out-of-service property not meeting these criteria shall be reported as a retirement,

§ 156.10 Transfers between category of property.

Transfers between carrier and noncarrier property, between classes of carrier property, or between primary accounts, shall be reported separately as additions and retirements and shall be clearly identified as such.

§ 156.11 Exceptions.

Exceptions taken by the Commission to property transactions recorded or reported on forms prescribed by Valuation Order No. 3, or Supplements or Revisions thereto, fall into two categories: those evidenced by corrections made by the Commission on ACV Forms filed by carriers; and those made the subject of a letter of exception. Carriers will be provided with photocopies of ACV forms in the former category, and such forms shall supersede and shall replace in the files of carriers the related ACV forms originally filed. No further action need be taken by carriers on exceptions in this category. Exceptions made the subject of a letter of exception shall be processed on the first ACV forms prepared following the receipt of such a letter, and reference shall be made on the forms to the letter directing the action.

§ 156.12 Reconciliations.

(a) Carrier property: Carriers shall prepare and submit on ACV Form No. 1 an analysis of the difference between the closing balance of original cost shown in column 5 of ACV Form No. 3 for owned property and the closing balance in Account 1, Investment in Carrier Property (primary accounts 101 to 193, inclusive) and Account 2. Cost of Organization at the end of the reporting period. This/ analysis shall be in such form as to separately indicate by subheadings, amounts included in Accounts 1 and 2 but not included in the closing balance of original cost at the end of the reporting period. and amounts included in the closing balance of original cost but not included in Accounts 1 and 2 at the end of the reporting period. The details of items under each subheading shall be grouped under appropriate descriptive headings according to the nature of the difference.

(b) Noncarrier property: Carriers shall also prepare and submit on ACV Form No. 1 a reconciliation statement showing an analysis of the difference between the closing balance of original cost shown in column 5 of ACV Form No. 3 for owned property and the closing balance in Account 5, Miscellaneous Physical Property at the end of the reporting period.

(c) See Appendix E 1 for sample reconciliations.

§ 156.13 Valuation sections.

Valuation section identity shall be determined as of the date of original valuation, or subsequent thereto when ap-

propriate, subject to the approval of the Commission.

§ 156.14 Corrections of additions or retirements previously reported.

In reporting corrections of additions or retirements previously reported, the adjusting entry in the current report shall be shown as an increase or as a decrease in the same column in which the original item was reported.

§ 156.15 Ancillary documents.

The following documents referred to in these regulations will be supplied by the Bureau of Accounts, Cost Finding and Valuation:

1947 Period Guide Prices and Annual and Period Indices.

Schedule of Annual and Period Indices. Pipeline Condition Percent Table.

Schedule of Element Codes and Guide Service Lives.

Table of Index Reciprocals.

Schedule of ratios of Freight Rates to Delivered Prices of Pipe.

§ 156.16 Assembling and numbering forms.

(a) To facilitate the review and processing of ACV forms they shall be assembled in the following order prior to their being filed with the Commission:

(1) ACV Form No. 1 bearing the carrier's certification and the identity of the

forms filed.

(2) ACV Form No. 1 containing the narrative statement pertaining to significant changes which occurred during the reporting period.

(3) ACV Form(s) No. 1 presenting the Reconciliation Statement for carrier

property.

(4) ACV Form(s) No. 1 presenting the Reconciliation Statement for noncarrier property.

(5) ACV Forms No. 3 followed by the ACV Form No. 4 summary. ACV Forms No. 3 shall be arranged as follows:

(i) Class 1 property.

(ii) Class 2 property: Assemble alphabetically by lessee.

(iii) Class 3 and 4 property: Assemble alphabetically by lessor without regard

to class of property.

(6) ACV Forms No. 1, 2 and 4 prepared by the filing carrier and those prepared by other than the filing carrier, covering property changes for the reporting period, shall be grouped together by form number in the above order. ACV Form No. 2 listing by state those valuation sections in which there were no property changes for the reporting period shall be placed ahead of the ACV Forms No. 2 reporting property changes. Each group of forms thus assembled shall include all classes of property in the following order:

(i) Class 1 property: For wholly owned and used property, assemble forms alphabetically by state and under each state by gathering, trunk, and general valuation sections grouped separately, with each group in valuation section number order. Arrange forms so grouped by primary account number. For jointly owned and used nonagent operated property, assemble forms for each such property in the same order prescribed for wholly owned and used property, and file alphabetically by jointly owned and used property identity

immediately following the forms for wholly owned and used property for the corresponding state. For jointly owned and used agent operated property, assemble forms alphabetically by state and thereunder alphabetically by system, and file immediately following the forms for jointly owned and used nonagent operated property for the corresponding state.

(ii) Class 2 property: For wholly owned but not used, and jointly owned but not used nonagent operated property, assemble forms alphabetically by lessee and thereunder alphabetically by state, the latter in the manner prescribed above for wholly owned and used Class 1 property. Interfile with these forms, alphabetically by lessee and thereunder alphabetically by state, forms for jointly owned but not used agent operated property.

(iii) Class 3 and 4 property: For wholly used but not owned, and jointly used but not owned, and jointly used but not owned nonagent operated property, assemble forms alphabetically by lessor, without regard to class of property, and thereunder alphabetically by state, the latter as prescribed above for wholly owned and used Class 1 property. Interfile with these forms alphabetically by lessor, also without regard to class of property, and thereunder alphabetically by state, forms for jointly used but not owned agent operated property.

(b) ACV Forms assembled in accordance with the foregoing shall be numbered consecutively beginning with ACV Form No. 1 referred to in paragraph (a) (1) of this section and ending with the last ACV Form No. 4 assembled under paragraph (a) (6) of this section. These consecutive numbers shall be shown in the top right-hand corner of the forms and shall be in addition to the numbers prescribed to be entered on the Sheet No. _____ of _____ Sheets line of the ACV forms.

§ 156.17 Location sketches.

A sketch, or sketches, 17" x 11" in size, which need not be drawn to scale, shall be submitted showing, by valuation section, the approximate geographical location of trunk lines and pumping stations. Trunk lines shall be identified by crude or product, and loop or parallel lines shall be shown. The pumping station identity assigned by the carrier shall be indicated and cities adjacent thereto shall be shown. Indicate for gathering lines only the general areas served. It will not be necessary to submit a separate sketch for each valuation section. A single sketch for an entire state will suffice where a carrier's pipelines and pumping stations are located in one state. Where it can be produced legibly, a single sketch will also be acceptable where a carrier operates in a number of contiguous states. Following the initial submission of sketches it will be necessary thereafter to submit corrected sketches only to reflect significant changes such as added pumping stations, entry into a new field, construction of parallel or loop trunk lines, or trunk line extensions or connections.

§ 156.18 Amendments and deviations.

Only those amendments to or deviations from the regulations prescribed by

this part as may be directed by the Commission are authorized.

FORMS INSTRUCTIONS

§ 156.100 Property changes other than land and rights-of-way.

Instructions for the preparation of ACV Form No. 1 Statement of Property Changes other than Land and Rights-of-Way.

(a) The data to be reported on this form should be typewritten. However, the form may be prepared manually where such method will assure legibility and permanency. Where the form is prepared manually, required additional horizontal lines shall be provided at the time of printing to aid in its preparation and to improve its legibility. A new sheet shall be started for each primary account. When ACV Form No. 1 is used to report changes in noncarrier property, the primary account numbers used for carrier property shall also be employed to facilitate the identification of such changes. With the exception of column 1, all entries on the form shall be double spaced. Additions and retirements shall be reported on separate lines. If there have been no property changes in a given valuation section for the reporting period, a form shall be prepared for each such valuation section bearing the state-ment "No Property Changes." When a major addition to, or a major replacement of a portion of, a unit of existing property occurs, report as a retirement the entire unit of property affected by the action and, in the case of a major addition, report as an addition both the property so retired and the addition made; in the case of a major replacement, report as an addition both the property retired less the replaced portion, and the replacing portion. (See Appendix G,1 for example.) For additions or retirements of pipe for accounts 103, 153, 110, 160, 112 and 162 report both the gross linear footage, and the related screwage included in such gross linear footage. To facilitate the preparation and verification of the Pipeline Footage Change Summary, segregate additions and retirements for the above accounts for trunk lines by crude and product, and thereunder separately by line, loops and other. Segregate, also, and report separately additions and retirements for all gathering lines and, if reported, service pipe. Except for service pipe, show both gross linear footage and related screwage totals for additions and for retirements for each of the above segregations.

(b) A single copy of the form shall be used to set forth the following statement which shall be signed by a responsible officer of the carrier preparing the reports:

The forms identified hereon have been carefully examined by the undersigned who declares that they have been prepared in accordance with regulations issued by the Interstate Commerce Commission.

(Signature)
(Title)
(Date)

There shall also be set forth-on this copy the identity and the number of forms filed. To assure the receipt of such forms this information shall be presented in such manner as to permit ready verification. A single copy of the form shall also be used to present in narrative form a summary of significant changes which occurred during the reporting period. Record the statement "No significant changes during reporting period" when appropriate.

(c) Sheet No. 1 of ACV Form No. 1 of each valuation section shall be used to identify the primary accounts, by account number only, in which property changes are reported for the valuation section. Footage change totals reported for accounts 103, 153, 110, 160, 112 and 162 in accordance with § 156.100(a) shall also be summarized on this sheet as follows:

PIPELINE FOOTAGE CHANGE SUMMARY

Trunk Lines

	Line		Loops		Other		All gath. lines	
	Adds.	Rets.	Adds.	Rets.	Adds.	Rets.	Adds.	Rets.
Account NoLess Screwage			A					
Account No.								********
Less Screwage								
Less Screwage Totals 2								
Equivalent Miles								•
						******	******	

¹ Indicate whether Crude or Products for trunk lines.
² Show footage totals, less screwage, for all accounts. Convert to miles, to the nearest thousandth, and record results on the Equiv. Miles line. Enter these miles on the Pipeline Mileage Statement.

This same sheet shall also set forth a statement of changes in pipeline mileage occurring between the current and the next previously filed statement. (This information shall be presented in the following form:

PIPELINE MILEAGE STATEMENT (In Thousandths)

Trunk Lines:
Crude:
Line:
Loops
Other
Todals:
Products:
Line:
Loops
Other
Totals.
Alt and of period

At beginning of period

At lend of period

At end of period

Attend of period

The Pipeline Footage Change Summary and the Pipeline Mileage Statement shall be prepared to include only the category of pipeline being reported, i.e. Trunk Lines—Crude; or Trunk Lines—Products; or All Gathering Lines, as appropriate. It will not be necessary to include the inapplicable portions of the formats shown.

¹Filed as part of original document.

- (d) When ACV Form No. 1 is used to report changes affecting jointly owned or jointly used property enter on Sheet No. 1. for each valuation section, an asterisk 1, for each valuation because, (*) on the Property Owned by _____ line and, and Property Used by _____ line and, in the body of the form, the identity of both the owning and the using carriers and the percentage of their respective owning or using interest.
- (e) ACV Form No. 1 shall be executed as follows:

(1) Statement of Property Changes From _____ To ____. Indicate the beginning and ending dates of the period cov-

ered by the report.

(2)

Carrier Property

Noncarrier Property. Place an X in the appropriate block to identify the property being reported. Data shall not be recorded in columns 4, 6, 8, 9, 10 and 12 of ACV Form No. 1 when reporting property changes for non-

carrier property.

(3) Report Filed by _____ Property

Owned by _____ Property Used by

Enter appropriate identifications. Where jointly owned or jointly used property is being reported, enter an asterisk (*) on the Property Owned by _____ and Property Used by _____ line to indicate that the identity of the owning and the using carriers is set out on Sheet No. 1 for the valuation section, as directed in (d)

(4) State ______ Val. Sec. _____.
Identify the state and valuation section in which the property changes being reported occurred. Enter the word "Unallocated" on the Val. Sec. _____ line for mobile property servicing more than one valuation section of the state. Enter the word "Unallocated" on the State _____ line for mobile property servicing more than one state, leaving the Val. Sec. _____ line blank.

(5) Sheet No. ____ of ____ Sheets. Except when the form is used as a summary or as otherwise directed, the use of this line shall be restricted to identifying the sheets relating to the valuation section indicated on the line above on the form. It shall not be used for the consecutive numbering of all sheets constituting the complete carrier's report of all property changes for the reporting period. When the form is otherwise used

this line shall identify the sheets so used.
(6) Columns 1 and 3. Property additions described in these columns shall be expressed as prescribed in the 1947 Period Guide Prices and Annual and Period Indices. When reporting significant additions, such as additional pipeline construction, excluding loops, or newly constructed buildings, file with related ACV Forms No. 1 right-of-way maps and station plats for pipeline construction, and floor plan sketches and pictures for buildings. Property retirements need not be described in complete detail. A general description, including the carrier's property number, will suffice. Include in column 1, however, for retirements, the identity of the B.V. Form 590 which reported, as a basic inventory item, the property being retired; include also the the identity of the Statement of Property Changes which reported, as an addition, the property being retired. When reporting additions to existing property, such as an addition made to an existing building or tank, indicate this same identity for the existing property to which the addition was made. Report, also, the date of installation of the existing property in column 1. Identify secondhand property and station piping clearly as such in column 1, and indicate the applicable freight rates for accounts 103, 105, 110, 112, 153, 155, 160 and 162. Show in column 1 the computation of the factor and the quotient referred to in (8) below.

and retirements the year, including the current year, the property was dedicated to public service. This shall be construed as the year in which the property was first placed in common-carrier service by a carrier, and this date shall also govern when reporting carrier property transactions for each successive owning or using common carrier. Record dates for additions, only, for accounts 104 and 154. When the year of dedication to public service differs from the year the property was actually installed indicate, also, the latter year in column 1. This requirement shall apply equally to property installed by previous owners. Where the precise year cannot be determined enter the best estimate. When showing these dates only the last two digits of the year need be shown.

Thus, 1956 may be indicated by 56.
(8) Column 4. Enter applicable unit price from the 1947 Period Guide Prices and Annual and Period Indices. Where period guide prices have not been established enter appropriate annual index from this same document, or the corresponding reciprocal from the Table of Index Reciprocals. For retirements from accounts 104 and 154 enter factor, determined by dividing cumulative cost of reproduction new by cumulative original cost, both as of the end of the next previous reporting period. For retirements of construction damages from accounts 105 and 155, enter the quotient of cumulative cost of reproduction new divided by related lineal feet of line pipe, both as of the end of the next previous reporting period. All entries in this column shall be used as multipliers.

(9) Columns 5 and 11. Enter the number of units applicable to the property described in columns 1 and 3. Leave these columns blank where the unit in column 3 is Lot.

(10) Column 6. Enter, to the nearest dol-

lar, the product of column 5 times column 4. This will represent the cost of reproduction new at 1947 period prices. Entries shall not be made in this column for overhead items. (11) Columns 7 and 13. Enter in these

columns, to the nearest dollar, the original cost of each unit, or the aggregate cost of all units, reported in related columns 5 and 11, or the original cost of each lot reported in column 3. The term original cost shall be interpreted to mean the actual cost of property to a carrier at the time of its initial dedication to public use. Overhead items shall be stated separately and shall be clearly defined and identified as such in column' 1.

(12) Columns 8 and 9. The data to be entered in these columns shall be taken from the Schedule of Element Codes and Guide Service Lives. Where property is to be depreciated to a 50 percent minimum indicate an asterisk (*) after the guide service life in column 9. Service life shall not be shown in column 9 for accounts 104, 105, 154 and 155, nor for element code 124 of accounts 111 and 161.

(13) Column 10. Enter applicable percent for additions or retirements from the Pipe-line Condition Percent Table. Indicate 100 percent when appropriate. Except as may be otherwise approved by the Commission in individual cases, additions to existing property, such as an addition to an existing building or tank shall follow the condition percent of the property to which it is added. Condition percent for accounts 104 and 105, and, 154 and 155, shall not be shown in this column since the condition percent of these accounts follows the condition percent of accounts 103 and 153, respectively. Omit condition percent also for element code 124 of accounts 111 and 161, since the condition percent for this element represents a composite of the condition percents of the remaining tank elements of accounts 111 and

(14) Column 12. Enter, to the nearest dollar, the product of column 11 times col-

(7) Column 2. Enter for both additions umn 4. This will represent the cost of reproduction new at 1947 period prices. Entries shall not be made in this column for over-

> (f) A total shall be shown on this form, at the end of each account, for columns 6, 7, 12 and 13. The amount of property changes reported in columns 6 and 12 shall then be summarized, by element code, and the summaries entered in these columns below the total, with the appropriate element code, service life, and weighted average condition percent being shown in columns 8, 9 and 10, respectively. Caption this summary "Distribution of columns 6 and 12." The total of amounts summarized by code in columns 6 and 12 must agree with the totals shown at the end of the account for these columns, and this summary shall serve as the posting medium for entries to be made in columns 7, 8, 9 and 10 of ACV Form No. 4.

(g) For jointly owned or jointly used property, the owning and the using percentages set out on Sheet No. 1 for the valuation section shall be applied to the totals prescribed in the preceding paragraph to be shown at the end of each account for columns 7 and 13. The percentages and resultant amounts shall be shown and identified by each owning and

each using carrier.

(h) ACV Form No. 1 reporting changes to jointly owned or jointly used property representing less than a valuation section shall report the complete property change. There shall then be indicated on the form the identity of the participating carriers and their owning or using percentage of interest. The appropriate percentage shall then be applied to the totals prescribed to be shownat the end of each account for columns 7 and 13, and by element code for columns 6 and 12. The resultant amounts shall be shown and identified by each owning or using carrier, and two copies of ACV Form No. 1 shall be mailed by the carrier reporting the change to each participating carrier, one to be retained and the other to accompany related forms filed with the Commission. In the case of joint projects involving expenditures not exceeding \$5,000.00 each, expenditures representing the portion borne by the carrier may be grouped for the entire valuation section and the total reported as a lot. Joint projects involving expenditures exceeding \$5,000.00 each shall be described in complete detail. including the total cost of the project, the identity and percentage of participation, and the number of units, in column 1 of ACV Form No. 1 and the carrier's share of the expenditure reported in total in columns 6, 7, 12 or 13.

(i) See §§ 156.201 to 156.205 for instructions covering purchase, sale, merger, consolidation or reorganization actions.

§ 156:101 Land and rights-of-way prop, erty changes.

Instructions for the preparation of ACV Form No. 2-Statement of Land and Rights-of-Way Property Changes.

(a) The data to be reported on this form shall be typewritten. When ACV Form No. 2 is used to report changes

in noncarrier property, the primary account numbers used for carrier property shall also be employed to facilitate the identification of such changes. If there have been no property changes in a given valuation section for the reporting period, it will not be necessary to prepare ACV Form No. 2 for such valuation sections. Prepare, instead, a single copy of the form listing thereon by state the valuation sections in which there were no property changes for the reporting period. All classes of property shall be included on this copy. When the form is used to report changes affecting jointly owned or jointly used property enter on Sheet No. 1, for each valuation section, an asterisk (*) on the Property Owned by _____ and Property __ lines and, in the body Used by _____ of the form, the identity of both the owning and the using carriers and the percentage of their respective owning or using interest.

(b) Instructions set out in § 156.100(h) pertaining to the manner of preparing ACV Form No. 1 covering changes in jointly owned or jointly used property representing less than a valuation section, or when used to report joint projects, shall also apply in the preparation of ACV Form No. 2.

(c) Maps, prepared in accordance with the specifications set out in Valuation Order No. 26, showing land additions and retirements, shall be filed with ACV Form No. 2 for both carrier and noncarrier property. Land additions and retirements shall also be indicated on carriers' copies of maps. Maps will not be required to be filed where an entire parcel, previously reported, is retired.

(d) In reporting land acquisitions having an original cost of \$500.00 or less per individual acquisition, group such acquisitions by county and report original cost and related areas by county total, and identify the county in column 17. It will not be necessary to file maps for acquisitions so reported. Undeveloped land having an original cost of \$500.00 or less per lease, leased to a carrier or to a noncarrier, or leased from a carrier, shall not be reported. Undeveloped land leased from a noncarrier having an annual rental of \$500.00 or less shall not be reported. porting undeveloped land leased from a noncarrier having an annual rental in excess of \$500.00 omit original cost. Regardless of the original cost or annual rental amount, land shall be reported where the property leased includes improvements. Exclude, however, original cost when reporting such land leased from a noncarrier. See paragraph (f) of this section for instructions governing the treatment to be accorded leased land for agent or nonagent operated jointly owned or jointly used property. Portions of land owned and no longer used for common-carrier purposes, and having an original cost of \$500.00 or less per portion, shall be regarded as incidental and immaterial with respect to its noncarrier category, and such portions shall not be transferred to noncarrier property.

(e) ACV Form No. 2 shall be executed as follows:

(1) From _____ To ____. Indicate the beginning and ending dates of the period covered by the report.

period covered by the report.

(2)

Carrier Property

Noncarrier Property. Place an X in the appropriate block to identify the property being reported.

block to identify the property being reported.

(3) Report Filed by _______ Property

Owned by ______ Property Used by
______ Enter appropriate identifications. Where jointly owned or jointly used property is being reported, enter an asterisk

(*) on the Property Owned by ______ line to indicate that the identity of the owning and the using carriers is set out on Sheet No. 1 of ACV Form No. 2 for the valuation section, as directed in (a) shove

as directed in (a) above.

(4) State ______ Val. Sec. ______

Identify the state and valuation section in which the property changes being reported occurred.

(5) Sheet No. ____ of ___ Sheets. This line shall identify the sheets relating to the valuation section, only, indicated on the line above on the form.

(6) Column 1. Enter the number of the land map assigned by the carrier.
(7) Column 2. Indicate the number as-

(7) Column 2. Indicate the number assigned to the parcel, or parcels, on the map identified in column 1.

(8) Column 3. Indicate the date and the kind of instrument by which title to, or interest in, each parcel was derived, such as deed, quitclaim deed, condemnation, ordinance, lease, agreement, grant, donation, etc. In the case of land retirements requiring the execution of a new instrument, identify such instrument in this column

instrument in this column.
(9) Columns 4 and 5. Enter, respectively, the name of the grantor and grantee cited in the instrument identified in column 3.

(10) Columns 6 and 8. Enter in these columns, respectively, the area, either in square feet or acres, of the land added or retired.

(11) Columns 7 and 9. Enter to the nearest dollar in these columns, respectively, the original cost of additions or retirements for the areas reported in columns 6 and 8. Incidental costs and assessments for public improvements shall be reported separately and shall be identified in column 17. Incidental costs and assessments shall be allocated to the parcels affected. If the considerations involved are other than cash identify such considerations in column 17. Enter valuation section totals for these columns.

(12) Column 10. Use this column for both land and rights-of-way. Enter the year that the parcel of land, or the year that the first trunk pipeline rights-of-way for the valuation section, or portion thereof, was dedicated to public service. Record this information for both additions and retirements.

(13) Columns 11 and 12. Identify the termini of the valuation section, or portion thereof, of trunk pipeline rights-of-way added or retired.

(14) Columns 13 and 15. Enter in these columns, for the termini identified in columns 11 and 12, the line miles of trunk pipeline rights-of-way added or retired.

(15) Columns 14 and 16. Enter to the nearest dollar in these columns, respectively, the total original cost for the valuation section as a whole of additions or retirements. If the considerations involved are other than cash identify such considerations in column 17

(16) Column 17. Use this column to record information relevant to both land and rights-of-way not otherwise provided for on the form such as, in the case of land or rights-of-way acquired, a statement of the specific use to which such property has been put; or, in the case of land or rights-of-way retired, transferred or relinquished from carrier use, the disposition thereof, such as sales, transfers to noncarrier, reversions, etc. Record also in this column the dollar amount of land or rights-of-way sales.

(f) For jointly owned or jointly used agent or nonagent operated property, record the total original cost of each land change in column 17 of ACV Form No. 2. indicate the owning or using percentages set out on Sheet No. 1 for the valuation section, apply same to the total original cost recorded in this column and show, also in column 17, the resultant amounts representing each jointly owning or jointly using carrier's proportionate share of the change. For land changes other than those reporting the lease of undeveloped land to a carrier or to a noncarrier, or from a carrier, enter the total original cost also in column 7 or column 9, as appropriate. For land changes reporting the lease of undeveloped land add those proportionate shares appearing in column 17 which exceed \$500.00 and enter the total in column 7 or column 9, as appropriate. In conformance with the provisions of paragraph (d) of this section, only those proportionate shares appearing in column 17 having an original cost in excess of \$500.00 shall be included on ACV Forms No. 2 prepared by agent operators in accordance with § 156.7, showing the proportionate share of original cost changes applicable to each jointly owing or jointly using carrier; also, jointly owning or jointly using carriers of nonagent operated property shall include only those proportionate shares shown in column 17 having an original cost in excess of \$500.00 when preparing their ACV Forms No. 3. In the case of rightsof-way changes affecting jointly owned or jointly used agent or nonagent operated property, the owning or the using percentages appearing on Sheet No. 1 for the valuation section shall be applied to the total original cost recorded for the valuation section as a whole in column 14 or column 16 in accordance with paragraph (e) (15) of this section. The percentages and resultant amounts shall be shown and identified by each jointly owning or jointly using carrier.

(g) See §§ 156.201 to 156.205 for instructions covering purchase, sale, merger, consolidation or reorganization actions

§ 156.102 Summary of original cost.

Instructions for the preparation of ACV Form No. 3—Summary of Changes in Original Cost and Total Original Cost at Close of Period.

(a) This form includes two identical sections of five columns each for reporting, by primary account and by the noncarrier property categories indicated, the information cited in the title of the form, for the carrier as a whole and for each state and Unallocated. A blank block appears at the top of each section of the form to provide this latter identity. The information required for the carrier as a whole shall be entered in the first section of Sheet No. 1 and this section shall be headed "As a Whole" in the blank block provided. The information required for the first State to be reported shall be entered in the remaining section of Sheet No. 1 of the form, and this section shall bear the name of the State being reported in the blank block provided. The sections of all such additional sheets as may be required shall be used to report

the remaining States, and Unallocated, and these sections shall also be appropriately identified in the blank blocks. Record States alphabetically, with Unallocated last in these blank blocks. When the form has been completed, the total of all amounts entered in similarly numbered columns in the state and Unallocated sections shall be balanced, by primary account and by noncarrier property category, with amounts entered in the corresponding columns of the "As a Whole" section. All totals and grand totals indicated to be shown on ACV Form No. 3 shall be crossfooted by individual state and Unallocated sections, which shall then be crossfooted to balance with amounts shown in the "As a Whole" section. Since this form will not be prepared by class of property for noncarrier property, for uniformity in reporting, record the data for all noncarrier property on ACV Form No. 3 prepared for class 1 property.

(b) The data reported on ACV Form No. 3 shall be typewritten and the form shall be executed as follows:

(1) Summary of Changes in Original Cost From _____, and Total Original Cost at Close of Period. Indicate the beginning and ending dates of the period

covered by the report.
(2) Sheet No. ---of This line shall identify the number of sheets constituting the Summary and the individ-

ual sheets thereof.

(3) Report Filed by _____ Property
Owned by _____ Property Used by
_____ Enter appropriate identifications.

(4) Accounts. The primary accounts and the noncarrier property categories designated in this column shall identify the applicable amounts stated in columns 1 through 5 of both sections of the form.

(5) Column 1, Enter the amounts appearing in column 5 of the form for the previous reporting period.

(6) Column 2. Each state and Unallo-

cated. Record, by primary account and by noncarrier property category, for all valuation sections, the total of acquisitions re-corded on ACV Forms No. 1 and 2 prepared in accordance with § 156.7(a), (b) and (c); § 156.201(b) (2) and (3); § 156.202(b) (1); § 156.203(b); and § 156.205(a). (7) Columns 3 and 4. Each state and

Unallocated. Record, by primary account and by noncarrier property category, for all valuation sections, the total of additions and retirements recorded on ACV Forms No. 1 and 2 for the reporting period, exclusive of

those acquisitions referred to in (6) above.
(8) Column 5. Each state and Unallocated. This column is the product of column 1 plus columns 2 and 3 minus column 4.

(9) Columns 2, 3, 4 and 5. As a whole. The amounts to be entered in these columns shall represent the total of amounts entered in similarly numbered columns of the state and Unallocated sections.

§ 156.103 Summary of cost of reproduction new and cost of reproduction new less depreciation.

Instructions for the preparation of ACV Form No. 4—Summary of Cost of Reproduction New and Cost of Reproduction New Less Depreciation.

(a) The data to be reported on this form should be typewritten. However, the form may be prepared manually where such method will assure legibility and permanency. Where the form is prepared manually, required additional horizontal lines shall be provided at the

time of printing to aid in its preparation and to improve its legibility. All entries on the form shall be double spaced. Because of changing condition percents and current period indices, it will be necessary to prepare and file this form even though there were no additions or retirements during the reporting period. When the form is used to report changes affecting jointly owned or jointly used property enter on Sheet No. 1, for each valuation section, an asterisk (*) on the Property Owned by _____ and Property Used by _____ line and, in the body of the form, the identiy of both the owning and the using carriers and the percentage of their respective owning or using interest.

(b) ACV Form No. 4 shall be executed as fòllows:

(1) For the Year ____ __. Indicate the calendar year covered by the report.

(2) Report Filed by _____ Property Owned by ____ Froperty Used by ____ Enter appropriate indentifications. Where jointly owned or jointly used property is being reported, enter an asterisk (*) on the Property Owned by _____ and Property Used by ______ line to indicate that the identity of the owning and the using carriers is set out on Sheet No. 1 of ACV Form No. 4 for the valuation section, as directed in (a) above.

(3) State ______ Val. Sec. _____.
Identify the state and valuation section in which the property changes being reported ._ Val. Sec. __ occurred. Enter the word "Unallocated" in the Val. Sec. _____ line for mobile property servicing more than one valuation section of the state. Enter the word "Unallo-cated" on the State _____ line for mobile property servicing more than one state, leav-

ing the Val. Sec. ____ line blank.

(4) Sheet No. ____ of ___ Sh (4) Sheet No. ____ of ___ Sheets. Except where the form is used as a summary, the use of this line shall be restricted to identifying the sheets relating to the valuation section indicated on the line above on the form. It shall not be used for the consecutive numbering of all sheets constituting the complete carrier's report of all property changes for the reporting period. When the form is used as a summary this line shall identify the sheets so used.

percent. (5) Freight on Pipe. Rate _____ percent. Enter the appropriate rate and percentage from the Schedule of Ratios of Freight Rates to Delivered Prices of Pipe.

(6) Columns 1, 2, 3, 4 and 5. Enter in these columns, respectively, the same information appearing in columns 1, 2, 3, 11 and 12 of the form for the next previous reporting period. Omit service life and condition percent in columns 3 and 5 for accounts 104, 105, 154, and 155, and for element code 124 of accounts 111 and 161. Where property changes occur during the current reporting period and no entries appear in columns 11 and 12 for the next previous reporting period, enter account number, element code, and service life-in columns 1, 2 and 3, respectively, from ACV Form No. 1.

(7) Column 6. Enter the applicable current year condition percent for each element code from the Condition Percent Table. Omit condition percent for accounts 104, 105, 154 and 155, and for element code 124 of accounts 111 and 161.

(8) Columns 7, 8, 9 and 10. The data to be entered in these columns are those set out in columns 6, 10 and 12 under "Distribution of columns 6 and 12" which appears at the end of each account on ACV Form No. 1 for which property changes are reported. Since this distribution will report no condition percent for accounts 104, 105, 154 and 155, or for element code 124 of accounts 111

and 161, none will be shown in columns 8 and 10.

(9) Column 11. The amount to be entered in this column is produced as follows: Column 4 plus column 7, minus column 9. Enter account totals in this column.

(10) Column 12. (i) This condition This condition percent is arrived at by dividing the product of: Column 4 times column 6, plus column 7 times column 8, minus column 9 times column 10, by the amount in column 11.

(ii) In the case of element codes 2, 4, 6 and 8, for accounts 103 and 153 the percentage of cost new shall also be shown in this column. This percentage is determined by multiplying the salvage factor percent (to be shown as SF-in parenthesis in column 13) by the difference between the condition percent and 100 percent, and adding the result to the condition percent. Entries in this column shall be shown, for example, as 70/76, the condition percent being 70 and the

percentage of cost new being 76.

(iii) A weighted condition percent shall also be developed from the element codes of accounts 103 and 153 which shall be used for conditioning accounts 104 and 105, and 154 and 155, respectively. This weighted condition percent shall be developed as follows: Multiply the amount for each element code in column 11 by the related condition percent (not the percentage of cost new) in column 12. Add the products and divide the resultant sum by the total for account 103 or 153 appearing in column 11. weighted condition percent shall be shown in parenthesis in this column opposite the total for these accounts. This condition percent shall be entered in this column for the element codes of accounts 104, 105, and 155, and shall be used to condition amounts in column 11 for these elements. It shall not be used to condition accounts 103 or 153.

(iv) A weighted condition percent shall also be developed from the tank element codes of accounts 111 or 161, which shall be used for conditioning element code 124 of these accounts. This weighted condition percent shall be developed by multiplying the amount for each tank element code in column 11 by the related condition percent. in column 12, adding the products and divid-ing the resultant sum by the total of the tank elements for account 111 or 161 appearing in column 11. This condition percent shall be entered in this column for element code 124, and shall be used to condition the amount in column 11 for this element.

(11) Column 13. This is the product of column 11 times column 12. For elements 2, 4, 6 and 8 of accounts 103 and 153 use the percentage of cost new instead of condition percent. Where a current period index (Column 14) is common to all elements of an account, the total of the account, only, shall be entered in this column. Enter also in parenthesis in this column for element codes 2, 4, 6 and 8 for accounts 103 and 153, the appropriate salvage factor (SF-) as shown in the Schedule of Element Codes and-Guide Service Lives. Indicate account totals in this column.

(12) Column 14. Enter the current year period index from the Schedule of Annual and Period Indices. Since the amounts reported in columns 11 and 13 for accounts 103 and 153 include freight, for which a separate period index is established, it will be necessary to develop a weighted index for amounts in columns 11 and 13 for accounts 103 and 153. This weighted index shall be arrived at by multiplying the Freight on Pipe %, shown in the upper right hand portion of the form, by the current year period index for freight on pipe, and adding to this the product of 100 percent less the freight on pipe percent, times the current year period index for line pipe. Enter the weighted index computed for account 103 and for account 153 in this

column, opposite the totals shown for these accounts in column 13 and, above the index, the factors used in computing it.

(13) Columns 15 and 16. Enter, respectively, the products of column 11 times column 14, and column 13 times column 14.

(14) Enter valuation section totals for columns 4, 7, 9, 11 (these columns must crossfoot), 13, 15 and 16.

(15) Entries will be made on ACV Form 4 in columns 17 through 22 as follows for the valuation section as a whole only:

(i) Columns 17, 18, 19 and 20. Enter the percentages approved for the carrier for each

valuation section.

- (ii) Columns 21 and 22. Add 100 to each of the percentages in columns 17 through 20, and multiply columns 17 times 18 times 19 times 20. Apply the product to the totals in columns 15 and 16 and enter the results in columns 21 and 22, respectively.
- (c) For jointly owned or jointly used property, the owning and the using percentages, set out on Sheet No. 1 of ACV Form No. 4 for the valuation section, shall be applied to each of the totals appearing in columns 21 and 22. The resultant amounts shall be shown and identified by each owning and each using carrier.

(d) ACV Form No. 4 shall be used to produce summaries of the following cate-

gories of property:

- (1) Owned and Used Summary. List wholly owned and wholly used property followed by jointly owned and used property. When listing jointly owned and used property identify the system of which it is a part, or other joint tenant or tenants.
- (2) Owned but Not Used Summary. List property, whether wholly or jointly owned, leased to carriers and identify lessees.
- (3) Used but Not Owned Summary. List property, whether wholly or jointly used, leased from carriers followed by property leased from noncarriers. Identify lessors.
- (e) Execute the "For the Year," "Report Filed by _____," and "Sheet No. ____ of ____ Sheets" captions in the of ____ Sheets" captions in the heading of the form, and prepare the summaries, double spaced, as follows:
- (1) Enter the following headings on the first line of the body of the form:
 - Column 7. Val. Sec.
 - Column 9. Line.
 - Column 11. Loops. Other. Column 13.
 - Total Trunk. Column 15.
 - Column 16. All Gathering.
- (2) Identify the summary being produced. Use the summary titles referred to in (d) above.
- (3) On the next line, in column 11, indi-
- cate the state being summarized. (4) Enter on successive lines for each val-

ulation section:

- (i) Columns 7, 9, 11, 13, 15 and 16. List, from Sheet No. 1 of ACV Form No. 1, the valuation section number and the appropriate mileages recorded in the At End of Period column of the Pipeline Mileage Statement. Add the suffix "Prod." to product valuation section numbers. For jointly owned and used, and jointly owned but not used or jointly used but not owned property record the total mileage for the valuation section and enter an asterisk (*) in column 6.
- (ii) Columns 21 and 22. List, from ACV Form No. 4, the totals in these columns appearing at the end of each valuation section. Enter the proportionate share, only, for jointly owned and used, and for jointly own-

ed but not used or jointly used but not

owned property.
(iii) Include in the above listing, and identify as "Unallocated" in column 7, ACV Forms No. 4 for mobile property servicing more than one valuation section.

(iv) Where two or more valuation sections are listed in a single state for a given lessee or lessor, indicate a state total for each in

columns 21 and 22 only.

(v) For jointly owned and used property identify, beginning in column 1, the system of which it is a part, or other joint tenant or tenants. For owned but not used property, and property used but not owned, identify, also beginning in column 1, lessees and lessors, respectively.

(5) Indicate the subheading "State Totals" in column 4 and enter the totals of

columns 21 and 22 only.

(6) Repeat (3), (4) and (5) above until

all states have been summarized.
(7) Following the development of state totals enter, on the next line, the caption "Unallocated" in column 11 and, on the same line, record in columns 21 and 22 the totals appearing in these columns on ACV Form No. 4 for mobile property servicing more than one state.

(8) Enter the identification "As a Whole Totals" in column 4 on the next line and, on the same line, record, in columns 21 and 22 only, the grand summary of state and unallocated totals produced in accordance with (5), (6) and (7) above.

- When as a whole totals have been developed for each summary enter, on the next succeeding lines, the terms "Total Owned," and "Total Used." Record, in columns 21 and 22, opposite the former term, the totals of amounts appearing in these columns for the owned and used, and owned but not used summaries; record opposite the latter term, in columns 21 and 22, the totals of amounts in these columns for the owned and used, and used but not owned summaries.
- (10) Enter an asterisk (*) on the last line followed by the phrase "Undivided joint mileage."
- (f) See §§ 156.201 to 156.205 for instructions covering purchase, sale, merger, consolidation or reorganization actions.

INSTRUCTIONS COVERING THE PROCESSING OF PURCHASE, SALE, MERGER, CONSOLI-DATION OR REORGANIZATION ACTIONS

§ 156.200 Introduction.

- (a) ACV Forms No. 1, 2, 3 and 4, and B. V. Form No. 588-R and related Subschedules prescribed by Supplement No. 8 to Valuation Order No. 3, Second Revised Issue, shall be used as outlined in this section to document actions in the captioned category. The term "acquiring carrier," as used in this section, refers to the carrier gaining title to property; "releasing carrier" refers to the carrier relinquishing title.
- (b) Where purchase, sale, merger, consolidation or reorganization actions are between common carriers, the original cost of property to the releasing carrier as of the date of the action shall be used to record such actions. If such actions are between common carriers and individuals, firms, corporations, or others not common carriers, the purchase price paid by acquiring common carriers shall be used to record property acquisitions, and the original cost of property as of the date of the action shall be used to record property releases.

(c) Cost of organization, either added or retired in connection with purchase, sale, merger, consolidation or reorganization actions, shall be reported on ACV Form No. 1 under accounts 116, 166 or 186 as appropriate.

(d) In identifying actions being reported, as directed in §§ 156.201 to 156.205, include vendor or vendee identity in cases of significant sales or purchases.

- § 156.201 Actions between common carriers affecting property representing one or more complete valuation sections.
- (a) The releasing carrier shall:(1) Prepare ACV Forms No. 1 and 2 covering changes occurring between the date of the latest previously filed statements of property changes and the date of the action.
- (2) Prepare a separate ACV Form No. 1, by valuation section, identifying thereon the action being reported, showing the balances of original cost and cost of reproduction new remaining after giving effect to the property changes reported in accordance with subparagraph (1) of this paragraph. Identify the primary accounts affected in column 1, enter the appropriate element codes in column 8, and record related cost of reproduction new balances in column 12. Using the same primary account identity, enter related original cost balances in column
- (3) Prepare a separate ACV Form No. 2, by valuation section, identifying thereon the action being reported, showing the balances of original cost remaining after giving effect to the property changes reported on ACV Form No. 2 prepared in accordance with subparagraph (1) of this paragraph. Identify the primary accounts affected in column 1 and enter the balances in column 9 for land accounts, and in column 16 for rights-of-way accounts.
- (4) Prepare ACV Form No. 4 through column 11, as directed in Section 156.103, and include in column 9 amounts reported in column 12 of ACV Forms No. 1 prepared in accordance with subparagraph (2) of this paragraph. This will reduce the balance in column 11 of ACV Form No. 4 to zero.
- (5) Provide the acquiring carrier with: (i) A copy of its December 31, 1947, or later, basic inventory, showing units and costs, of the property affected by the action.
- (ii) A copy of all its B. V. Forms No. 588-R and related Subschedules, and ACV Forms No. 1 and 2 covering all property changes through the effective date of the action.
- (iii) A copy of its ACV Forms No. 4 referred to in subparagraph (4) of this paragraph showing zero balance in column 11.
- (b) Following the close of the reporting period the acquiring carrier shall:
- (1) Prepare ACV Forms No. 1 and 2 covering changes for the period from the date of the action to December 31. of the reporting year, including additional organization expenditures.
- (2) Prepare a separate ACV Form No. 1, by valuation section, identifying thereon the action being reported. List the

primary accounts affected in column 1 and record as acquisitions in column 7 the retirements reported in column 7 of ACV Forms No. 1 prepared by the releasing carrier in accordance with paragraph (a) (2) of this section, and provided the acquiring carrier in accordance with paragraph (a) (5) of this section. Exclude cost of organization reported by the releasing carrier.

(3) Prepare a separate ACV Form No. 2, by valuation section, identifying thereon the action being reported. List the primary accounts affected in column 7 and record as acquisitions in column 7 for land accounts, and in column 14 for rights-of-way accounts, the retirements reported in columns 9 and 16 of ACV Forms No. 2 prepared by the releasing carrier in accordance with paragraph (a) (3) of this section, and provided the paragraph (a) (5) of this section.

(4) Prepare ACV Form No. 4 to cover the entire reporting year, identifying same to indicate that it includes changes applicable to both the releasing and the acquiring carrier. To accomplish this, copy in the corresponding columns of this form the data appearing in columns 1, 2, 3, 4 and 5 of ACV Form No. 4 received from the releasing carrier in accordance with paragraph (a)(5) of this section. Consolidate, by element, the amounts of cost of reproduction new property changes appearing in columns 6 and 12 of the copy of ACV Form No. 1 received from the releasing carrier covering current year changes to the date of the action, and the ACV Form No. 1 prepared by the acquiring carrier covering current year changes from the date of the action to the end of the reporting year. Record these consolidated changes in columns 7 and 9 of ACV Form No. 4 and complete the form as directed in § 156.103.

(5) Prepare, for the carrier as a whole, a separate ACV Form No. 1 identifying differences between amounts covering acquisitions recorded in account 1, Investment in Carrier Property, and related original cost amounts recorded

on ACV Forms No. 1 and 2.

§ 156.202 Actions between common carriers affecting property representing less than a complete valuation section.

(a) The releasing carrier shall:

- (1) Identify the action and report same, by account, as a retirement on separate ACV Forms No. 1 and 2, including complete description, units, costs, etc., immediately following the recording of regular property changes for the reporting year.
- (2) Provide the acquiring carrier with a copy of the ACV Forms No. 1 and 2 referred to in subparagraph (1) of this paragraph.

(b) The acquiring carrier shall:

(1) Identify the action and report same by account, as an acquisition on ACV Forms No. 1 and 2, including complete description, units, costs, etc., immediately following the recording of regular property changes for the reporting year. ACV Forms No. 1 and 2 received from the releasing carrier in accordance with paragraph (a) (2) of

this section shall serve as the posting media for recording these data.

(2) Prepare, for the carrier as a whole, a separate ACV Form No. 1 identifying differences between amounts covering acquisitions recorded in account 1, Investment in Carrier Property, and related original cost amounts recorded on ACV Forms No. 1 and 2.

§ 156.203 Actions between common carriers and individuals, firms, corporations or others not common carriers.

(a) The releasing carrier shall record the action as a retirement in the same manner as outlined in § 156.202(a) (1), except that it will not be necessary to prepare separate ACV Forms No. 1 and 2.

(b) The acquiring carrier shall record the action as an acquisition in the same manner as outlined in § 156.202(b)(1), except that if the property represents a valuation section or more separate ACV Forms No. 1 and 2 shall be prepared, the date of the acquisition shall be the year in which the property is dedicated to public service by the acquiring carrier and the source medium shall be the inventory of the property acquired. This inventory shall state the manner in which it was determined and shall identify the installation dates of the property included therein. Where accurate installation dates cannot be determined the best possible estimate shall be used.

(c) The acquiring carrier shall also prepare, for the carrier as a whole, a separate ACV Form No. 1 identifying differences between amounts covering acquisitions recorded in account 1, Investment in Carrier Property, and related purchase price amounts recorded on ACV Forms No. 1 and 2.

§ 156.204 Purchases and sales of jointly owned or jointly used agent operated property.

In cases of purchase and sale actions affecting agent operated jointly owned or jointly used property the agent operator shall:

(a) Prepare a summary on ACV Forms No. 1 and 2 for each valuation section, identifying the action being reported, listing thereon by primary account the total additions and retirements, each shown separately, from the date of the latest previously filed statements of property changes to the date of the action. Indicate the appropriate owning or using percentage in effect prior to the date of the action for each jointly owning or jointly using carrier and apply same to the additions and retirements and record the resultant amounts. See Appendices H and I¹ for examples.

(b) Prepare ACV Forms No. 1 and 2 for each valuation section, identifying the action being reported, and showing thereon the following information by primary account:

(1) The balance of original cost at the end of the latest previous reporting period.

- (2) The total of additions and retirements reported in accordance with (a)
- (3) The balance of original cost as of the date of the action after giving effect

to subparagraph (2) of this paragraph. See Appendices H and I for examples.

(c) Apply to the balance developed under paragraph (b) (3) of this section, the percentage representing the relationship between the original cost of the portion of the valuation section involved in the action and the total original cost of the valuation section. Identify the result by each releasing and acquiring jointly owning or jointly using carrier. See Appendices H and I¹ for examples.

(d) Include amounts developed under paragraphs (a) and (c) of this section in totals reported on ACV Forms No. 1 and 2 prepared in accordance with § 156.7 (a), (b) and (c) reporting the carrier's proportionate share of jointly owned or jointly used agent operated property.

(e) Include ACV Forms No. 1 and 2 prepared in accordance with paragraphs (a), (b) and (c) of this section with forms filed with the Commission.

§ 156.205 Purchases and sales of jointly owned or jointly used nonagent operated property.

(a) The ACV Forms No. 1 and 2 referred to in § 156.204 (a), (b) and (c) shall be prepared by the carrier having responsibility for preparing the ACV forms for the jointly owned or jointly used property.

(b) Two copies of the ACV Forms No. 1 and 2 referred to in paragraph (a) of this section shall be mailed to each jointly owning or jointly using carrier, one to be retained, the other to be included with reports filed with the Commission.

FORMS

§ 156.300 List of forms.1

ACV Form No. 1—Statement of Property Changes other than Land and Rights-of-Way

ACV Form No. 2—Statement of Land and

Rights-of-Way Property Changes. ACV Form No. 3—Summary of Changes in Original Cost and Total Original Cost at Close of Period.

ACV Form No. 4—Summary of Cost of Reproduction New and Cost of Reproduction New Less Depreciation.

[F.R. Doc. 59-5578; Filed, July 6, 1959; 8:45 a.m.]

proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service [7 CFR Part 53]

UNITED STATES STANDARDS FOR LAMB, YEARLING MUTTON, AND MUTTON CARCASSES

Extension of Time for Filing Comments on Proposed Suspension of Federal Meat Grading Service

On May 28, 1959, in accordance with section 4 of the Administrative Procedure

¹ Filed as part of original document.

Act (5 U.S.C. 1003) there was published in the Federal Register (24 F.R. 4307), a notice that the Department of Agriculture was considering amending the Federal Meat Grading Regulations (7 CFR Part 53, Subpart A, as amended), issued under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), effective August 1, 1959, to suspend the Federal meat grading service under said regulations for the determination of the grades of lamb, yearling mutton, and mutton carcasses in accordance with the United States Standards (7 CFR Part 53, Subpart B, as amended).

On June 25, 1959, there was published in the FEDERAL REGISTER (24 F.R. 5187) a notice that the time for filing comments on this proposal was extended to July 6, 1959.

Because of the continued interest in this matter and because several requests have been received asking that additional time be allowed for filing comments on the proposal, it is now deemed desirable to extend the time for filing comments to include July 20, 1959. In this same connection, the effective date for the possible suspension of lamb, yearling mutton, and mutton grading is also changed from August 1, 1959, to September 1, 1959.

Therefore, all persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., on or before July 20, 1959.

Done at Washington, D.C., this 2d day of July 1959.

CLARENCE L. MILLER, Assistant Secretary.

[F.R. Doc. 59-5647; Filed, July 6, 1959; 9:13 a.m.]

[7 CFR Part 961]

[Docket No. AO-160-A21]

MILK IN PHILADELPHIA, PA., MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in U.S. District Courtroom No. 4, United States Courthouse, 9th and Market Streets, Philadelphia, Pennsylvania, beginning at 9:30 a.m., e.d.t., on July 13, 1959, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amend-

Act (5 U.S.C. 1003) there was published in the Federal Register (24 F.R. 4307), a notice that the Department of Agriculture was considering amending the ments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Milk Distributors Association of the Philadelphia Area, Inc. Proposal No. 1. Revise § 961.61 to read

§ 961.61 Plants subject to other federal orders.

as follows:

Any plant specified in paragraphs (a), (b) or (c) of this section shall be considered a non-producer milk plant except that the operator thereof shall, with respect to total receipts and utilization or disposition of product pounds at such plant, make reports to the market administrator at such time and in such manner as the market administrator may require, and allow verification of such reports by the market administrator.

(a) Any plant referred to in § 961.7 in which all the milk handled either as producer milk or other source milk allocated to Class I, is subject to the classification, pricing and pooling under Part 927 of this chapter;

(b) Any plant referred to in § 961.7 (a) at which all the milk handled either as producer milk or other source milk allocated to Class I, is subject to the classification, pricing and pooling of another order pursuant to the Act unless a greater volume of milk is disposed of from such plant to retail or wholesale outlets (except producer milk plants) in the Philadelphia marketing area than in the marketing area regulated pursuant to such other order; and

(c) Any plant as referred to in § 961.7 (b) at which all the milk handled either as producer milk or other source milk allocated to Class I, is subject to the classification, pricing and pooling of another order pursuant to the Act unless such plant disposes of a greater volume of Class I milk to producer milk plants under Order No. 61 than to plants distributing in the marketing area regulated pursuant to such other order.

Proposal No. 3. Delete the last proviso of § 961.52(a) and substitute therefor the following: "from which plant milk from producers is shipped to plants specified in § 961.7(a) or at which plant milk is otherwise disposed of as Class I, and limited at that plant to the amount shipped or otherwise disposed of as Class I."

Proposed by the Dairy Division, Agri-

cultural Marketing Service:

Proposal No. 3. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, L. S. Iverson, 1528 Walnut Street, Philadelphia 2, Pennsylvania, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 1st day of July 1959.

F. R. Burke, Acting Deputy Administrator, Agricultural Marketing Service.

[F.R. Doc. 59-5603; Filed July 6, 1959; 8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[417.0]

PRODUCT CONSISTING OF COL-LOIDAL SIZED PARTICLES COM-POSED OF SILICA AND WATER

Notice of Prospective Classification

JULY 1, 1959.

It appears that a product known as "Cab-O-Sil" consisting of colloidal sized particles composed of 98.4 percent silica and 1.6 percent of water is properly classifiable as an acid anhydride, not specially provided for, under paragraph 1, Tariff Act of 1930, and dutiable at the reduced rate of 12½ percent ad valorem under that paragraph as modified.

Pursuant to § 16.10a(d) of the customs regulations (19 CFR 16.10a(d)), notice is hereby given that the existing practice of classifying such product as sand containing 95 percent or more of silica and not over 0.6 percent of oxide of iron and suitable for use in the manufacture of glass under paragraph 207, dutiable at the reduced rate of 50 cents

per ton, is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct classification of this merchandise which are submitted to the Bureau of Customs, Washington 25, D.C., in writing. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice. No hearings will be held.

[SEAL] RALPH KELLY, Commissioner of Customs.

[F.R. Doc. 59-5605; Filed, July 6, 1959; 8:47 a.m.]

Office of the Secretary

RAYON STAPLE FIBER FROM SWEDEN

Determination of No Sales at Less
Than Fair Value

JUNE 30, 1959.

A complaint was received that rayon staple fiber from Sweden was being sold

5480 NOTICES

to the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that rayon staple fiber from Sweden is not being, nor is likely to be, sold in the United States at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. The quantity of rayon staple fiber, the same as or similar to the rayon staple fiber sold to the United States, sold for home consumption was inadequate to form a basis for a fair value comparison. Accordingly, a weighted average of the price in the home market and the prices for exportation to countries other than the United States represents the fair value of the imported merchandise.

It was found that the purchase price was not less than the weighted average of the price in the home market and the prices to third countries, after appropriate adjustments for circumstances of sale differences such as freight and moisture regain factors. It was also ascertained that purchase price was not less than third country price.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-5606; Filed, July 6, 1959;
8:47 a.m.]

[AA 643.3]

RAYON STAPLE FIBER FROM SWITZERLAND

Determination of No Sales at Less Than Fair Value

JUNE 30, 1959.

A complaint was received that rayon staple fiber from Switzerland was being sold to the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that rayon staple fiber from Switzerland is not being, nor is likely to be, sold in the United States at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. The quantity of rayon staple fiber, the same as or similar to the rayon staple fiber sold to the United States, sold for home consumption was inadequate to form a basis for a fair value comparison. Accordingly, a weighted average of the price in the home market and the prices for exportation to countries other than the United States represents the fair value of the imported merchandise.

It was found that the purchase price was not less than the weighted average of the price in the home market and the prices to third countries, after appropriate adjustments for circumstances of sale differences such as advertising, commissions, freight, and moisture regain factors. Actual discounts granted in the home market and to third countries for quantity were also considered. It was

also ascertained that purchase price was not less than any third country price.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] A. GILMORE FLUES, Acting Secretary of the Treasury.

[F.R. Doc. 59-5607; Filed, July 6, 1959; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management FLORIDA

Notice of Proposed Withdrawal for Permanent Reservation of Certain Lands

JUNE 30, 1959.

The Fish and Wildlife Service, Department of the Interior, Washington, D.C. has filed an amended application of BLM 044365, for the withdrawal of certain public land located on Sanibel Island, Lee County, Florida, hereafter described, from all forms of appropriation under the public land laws, including the United States mining but not the mineral leasing laws, subject to valid existing rights.

The land is required as an addition to the Sanibel National Wildlife Refuge.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D.C.

If circumstances warrant it, a hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the Federal Register. A separate notice will be sent to each party of record.

The land involved in the application is:

TALLAHASSEE MERIDIAN, FLORIDA

T. 46 S., R. 23 E., sec. 18, Lot 5.

The area described comprises 40 acres.

H. K. Scholl, Manager.

[F.R. Doc. 59-5584; Filed, July 6, 1959; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary LOUISIANA

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in St. James Parish, Louisiana, a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named parish after June 30, 1960, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 29th day of June 1959.

True D. Morse,
Acting Secretary.

[F.R. Doc. 59-5588; Filed, July 6, 1959; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce [File 23-606]

SCHWARZINGER & CO. INTERNA-TIONALE SPEDITIONS G.m.b.H.

Order Denying Export Privileges for an Indefinite Period

In the matter of Schwarzinger & Co. Internationale Speditions G.m.b.H., Vienna 1, Stallburggasse 4, Austria; Respondent, File 23-606.

There is pending an investigation concerning what may be an unauthorized diversion of approximately 30,000 pounds of Neoprene in 585 bags, valued at about \$15,000, which were exported from the United States under general license. The Director of the Investigation Staff, Bureau of Foreign Commerce, has applied for an order denying to Schwarzinger & Co. Internationale Speditions G.m.b.H. all export privileges for an indefinite period because of its failure and refusal to respond to written interrogatories duly served on it. The application was made pursuant to § 382.15 of the export regulations (15 CFR, Chapter III, Subchapter B) and, in accordance with the practice thereunder, was referred to the Compliance Commissioner of the Bureau of Foreign Commerce who, after considering evidence in support thereof, has recommended that it be granted.

The evidence submitted in support of the application shows that although the Neoprene had been exported from the United States for delivery to a consignee in Switzerland, it was not delivered there but was forwarded, on instructions from a forwarder, by the respondent to East Germany or another Soviet Bloc destination. Relevant and material interrogatories concerning the handling of the goods by the respondent and the instructions received and given by it were duly served on the respondent, but it has failed and omitted to answer the same and has failed to give any satisfactory or reasonable explanation for its failure so to do. Such failure and omission to answer the interrogatories has impaired and impeded the investigation by the Bureau of Foreign Commerce into the ultimate disposition of the Neoprene and the ascertainment of the persons responsible therefor.

Having concluded that this order is reasonable and necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended: It is hereby ordered:

I. All outstanding validated export licenses in which the respondent appears or participates as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation;

II. The respondent, its successors or assigns, partners, directors, representatives, agents, and employees, are hereby denied all privileges of participating directly or indirectly in any manner, form, or capacity in any past, present, or future exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing, participation in an exportation shall include and prohibit said respondent's and such other persons' and firms' participation (a) as parties or as representatives of a party to any validated export license application; (b) in the using of any export control document; (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported from the United States; and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States;

III. This denial of export privileges shall apply not only to the respondent, but also to any person, firm, corporation, or business organization with which it now or hereafter may be related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States or services connected therewith;

IV. This order shall remain in effect until the respondent satisfactorily answers or furnishes written information or documents in response to the interrogatories heretofore served on it or gives adequate reason for its failure or refusal to respond, except insofar as it may be amended or modified hereafter in accordance with the export regulations;

V. No person, firm, corporation, or other business organization, within the United States or elsewhere (whether or not engaged in trade relating to exports from the United States) shall, on behalf of or in any association with the respondent or any related party, without prior disclosure of the facts to and specific authorization from the Bureau of Foreign Commerce, directly or indirectly in any manner, form, or capacity (a) apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation of commodities from the United States, or (b) order, receive, buy, sell, deliver, use, dispose of, finance, transport, forward, or otherwise service or participate in an exportation from the United States, or in a re-exportation of any commodity exported from the United States, or do any of the foregoing acts with respect to any exportation in which respondent or any related party may have any interest or obtain any benefit of any kind or nature, direct or indirect.

VI. In accordance with the provisions of § 382.11(c) of the export regulations,

the respondent may move, at any time prior to the cancellation or termination hereof, to vacate or modify this indefinite denial order by filing an appropriate application therefor, supported by evidence, with the Compliance Commissioner, and it may request oral hearing thereon, which, if requested, will be held before the Compliance Commissioner at Washington, D.C. at the earliest convenient date.

Dated: May 29, 1959.

RAUER H. MEYER, Acting Director, Office of Export Supply.

[F.R. Doc. 59-5587; Filed, July 6, 1959; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 10667; Order No. E-14161]

REEVE ALEUTIAN AIRWAYS, INC.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of July 1959.

In the matter of reduced local fares for official military travel between Adak, Alaska, and Kodiak, Alaska, proposed by Reeve Aleutian Airways, Inc., Docket No. 10667.

Reeve Aleutian Airways, Inc. (Reeve) has filed tariffs to become effective July 5, 1959, providing for reduced one-way and round-trip local and joint fares for personnel of the military agencies and the Selective Service System traveling on Government transportation requests. The proposed local fare applies between Adak and Kodiak, Alaska. This fare is \$130.00 one-way which represents a discount of about 18 percent from the regular fare of \$160.00. The proposed joint fares apply between Adak, Alaska, and Seattle, Washington, via Reeve from Adak to Anchorage or Kodiak, Alaska, thence via Pacific Northern Airlines. Inc., to Seattle and via Reeve from Adak to Anchorage thence via Northwest Airlines, Inc., on tourist flights to Seattle.2

On the basis of data and information available to the Board, it appears that there is a substantial volume of military traffic between Adak and Seattle currently moving via military transportation services and that such traffic would be moved via the civil air carriers if the proposed joint fares are permitted to become effective. In consideration of the substantial economic benefits which would accrue to Reeve through the carriage of such traffic between Adak and Anchorage or Kodiak, the relatively minor fare discount involved, and the Board's recent decision in the Certifi-cated Air Carrier Military Tender Investigation,3 the Board has concluded to permit the joint Adak-Seattle fares published in C.A.B. No. 19 to become effective.

As regards the proposed local Adak-Kodiak fares, however, no facts have been presented to the Board in support of such fares nor can the Board find on the basis of available information any warrant for the discount of more than 18 percent which would be thereby afforded official military traffic. The Board, after consideration of the proposed fares set forth in C.A.B. No. 20, finds that such fares may be unjust and unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful.

The Board finds that its action herein is necessary and appropriate in order to carry out the provisions and objectives of the Federal Aviation Act of 1958, particularly sections 204(a), 403, 404, and 1002 thereof.

Accordingly, it is ordered, That:

1. An investigation be, and hereby is, instituted to determine whether the fare and provisions in Reeve Aleutian Airways, Inc., Special Military Local Passenger Fares Tariff No. 1, C.A.B. No. 20 are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fare and provisions.

2. Pending such investigation, hearing, and decision by the Board, Reeve Aleutian Airways, Inc., Special Military Local Passenger Fares Tariff No. 1, C.A.B. No. 20 be and hereby is suspended and its use deferred to and including October 2, 1959, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board.

3. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place here-

after to be designated.

4. A copy of this order be filed with the aforesaid tariff and a copy be served upon Reeve Aleutian Airways, Inc., which is hereby made a party to this proceeding. This order shall also be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL]

MABEL McCart, Acting Secretary.

[F.R. Doc. 59-5600; Filed, July 6, 1959; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12209 etc.; FCC 59M-837]

DAVID M. SEGAL ET AL.

Order Scheduling Prehearing Conference

In re applications of David M. Segal, Boulder, Colorado, Docket No. 12209, File No. BP-10427; Clifford W. Paine & William John Hyland, III d/b as Denver Broadcasting Company, Denver, Colorado, Docket No. 12883, File No. BP-11791; John L. Buchanan, tr/as Satellite Center Radio Company, Arvada, Colorado, Docket No. 12884, File No. BP-12514; for construction permits.

¹Reeve Aleutian Airways, Inc., C.A.B. No. 20.

²Reeve Aleutian Airways, Inc., C.A.B. No. 19. Change from \$218.40 to \$210.00.

³ Docket No. 9036, Mimeo. Opin. Order No. E-13536, dated February 25, 1959.

[SEAL]

It is ordered, This 30th day of June 1959, that a prehearing conference, in accordance with § 1.111 of the rules, will be held in the above-entitled matter at 10:00 a.m. on Tuesday, July 7, 1959, in the offices of the Commission, Washington, D.C.

Released: June 30, 1959.

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS,

Secretary.

[F.R. Doc. 59-5592; Filed, July 6, 1959; 8:46 a.m.]

[Docket No. 12210; FCC 59M-830]

KENNETH G. AND MISHA S. PRATHER Order Continuing Hearing

In re application of Kenneth G. Prather and Misha S. Prather, Boulder, Colorado, Docket No. 12210, File No. BP-11289; for construction permit.

Upon informal advice of counsel in the above-entitled matter that the application will be amended so as to remove this case from hearing status: It is ordered, This 29th day of June 1959, that the further hearing presently scheduled for July 1, 1959, be, and it hereby is, postponed indefinitely.

Released: June 30, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
MARY JANE MORRIS

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-5593; Filed, July 6, 1959; 8:46 a.m.]

[Docket Nos. 12837-12840; FCC 59M-832]

BIRNEY IMES, JR., ET AL.

Order Continuing Prehearing Conference

In re applications of Birney Imes, Jr., West Memphis, Arkansas, Docket No. 12837, File No. BP-11465; Nathan Bolton and A. R. McCleary. d/b as Morehouse Broadcasting Company (KTRY), Bastrop, Louisiana, Docket No. 12838, File No. BP-11924; Newport Broadcasting Company, West Memphis, Arkansas, Docket No. 12839, File No. BP-12113; Crittenden County Broadcasting Company, West Memphis, Arkansas, Docket No. 12840, File No. BP-12405; for construction permits.

It is ordered, This 30th day of June 1959, on the Examiner's own motion, that the prehearing conference in the above-entitled proceeding presently scheduled for July 7, 1959 is continued without date pending Commission action on the application of Garrett Broadcasting Corporation, file No. BP-12987.

Released: June 30, 1959.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-5594; Filed, July 6, 1959; 8:46 a.m.]

[Docket Nos. 10854-10858; FCC 59M-841]

BISCAYNE TELEVISION CORP. ET AL. Order Scheduling Prehearing Conference °

In re applications of Biscayne Television Corporation, Miami, Florida, Docket No. 10854, File No. BPCT-1453; East Coast Television Corporation, Miami, Florida, Docket No. 10856, File No. BPCT-1612; South Florida Television Corporation, Miami, Florida, Docket No. 10857, File No. BPCT-1806; Sunbeam Television Corporation, Miami, Florida, Docket No. 10858, File No. BPCT-1816; for construction permits for new television broadcast stations (Channel 7).

It is ordered, This 1st day of July 1959, that a prehearing conference, in accordance with the provisions of Section 1.111 of the Rules, will be held in the above-entitled matter on September 9, 1959, at 11:00 a.m., in the offices of the Commission, Washington, D.C.

Released: July 1, 1959.

Federal Communications Commission,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-5595; Filed, July 6, 1959; 8:46 a.m.]

[Docket Nos. 12885-12887; FCC 59M-838]

MADISON, COUNTY BROADCASTERS ET.AL.

Order Continuing Hearing

In re applications of James B. Tharpe and Joseph L. Rosenmiller, Jr., d/b as Madison County Broadcasters, Granite City, Illinois, Docket No. 12885, File No. BP-11635; Charles H. Norman, John Karoly and George J. Moran, d/b as Tri-Cities Broadcasting Company, Granite City, Illinois, Docket No. 12886, File No. BP-11875; East Side Broadcasting Company, Granite City, Illinois, Docket No. 12887, File No. BP-12530; for construction permits.

Upon decision reached at a prehearing conference held this day: It is ordered, This 30th day of June, 1959, that the hearing in the above-entitled matter now scheduled to commence on July 28, 1959, is hereby rescheduled to commence on September 28, 1959.

Released: July 1, 1959.

Federal Communications
Commission,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-5596; Filed, July 6, 1959; 8:46 a.m.]

[Docket No. 12897; FCC 59M-835]

SHERRILL C. CORWIN (KFMC) Order Scheduling Prehearing Conference

In re application of Sherrill C. Corwin (KFMC), Santa Barbara, California,

Docket No. 12897, File No. BMPH-5408; for modification of construction permit for FM broadcast station.

On the Examiner's own motion: It is ordered, This 30th day of June 1959, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a prehearing conference pursuant to the provisions of § 1.111 of the Commission's rules, in the offices of the Commission, Washington, D.C., at 10:00 o'clock a.m., on Tuesday, July 14, 1959.

Released: June 30, 1959.

Federal Communications Commission,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-5597; Filed, July 6, 1959; 8:46 a.m.]

[Docket Nos. 12916, 12917; FCC 59-607]

GULF COAST BROADCASTERS AND TRI-COUNTY BROADCASTERS, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Anthony E. Zuccaro tr/as Gulf Coast Broadcasters, Moss Point, Mississippi, requests 1440 kc, 1 kw, Day, Docket No. 12916, File No. BP-11733; Tri-County Broadcasters, Inc., Lucedale, Mississippi, requests 1440 kc, 1 kw, Day, Docket No. 12917, File No. BP-12659; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 24th day of June 1959:

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate its instant proposal; and

It further appearing, that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated May 7, 1959, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing, that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant without hearing of the said applications; and in which the applicants stated that they would appear at a hearing on the instant applications; and

It further appearing, that, after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding

that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below:

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the proposals and the availability of other primary service to such areas and populations.

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

- 3. To determine whether the interference received from the other proposal herein and any existing stations would affect more than 10 percent of the population within the normally protected primary service area of any one of the instant proposals in contravention of § 3.28(c)(3) of the Commission rules and, if so, whether circumstances exist which would warrant a waiver of said section.
- 4. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would better provide a fair, efficient and equitable distribution of radio service.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either of the instant applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: July 1, 1959.

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS.

[SEAL]

Secretary.

[F.R. Doc. 59-5598; Filed, July 6, 1959; 8:46 a.m.]

[Docket No. 12921; FCC 59-612]

MOUNT LASSEN RADIO AND TELE-VISION BROADCASTING CO.

Order Designating Application for **Hearing on Stated Issues**

In re application of Mount Lassen Radio and Television Broadcasting Company, Red Bluff, California, requests. 1360 kc, 500 w, Day, Docket No. 12921, File No. BP-12196; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 24th day of June 1959;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal;

It further appearing, that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated April 27, 1959, and incorporated herein by reference, notified the applicant, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of the application would serve the public interest, convenience and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing, that the applicant filed a timely reply to the aforementioned letter, which reply has not, however, entirely eliminated the grounds and reasons precluding a grant without hearing of the application; and in which the applicant stated that it would appear at a hearing on the instant application; and

It further appearing, that by letter dated September 3, 1958, Modesto Broadcasting Company, licensee of Station KFIV, Modesto, California, requested that the instant proposal be designated for hearing and that Station KFIV be made a party to the proceeding; and

It further appearing, that, after consideration of the foregoing and the applicant's reply the Commission is still unable to make the statutory finding that a grant of the application would serve the public interest, convenience, and necessity; and is of the opinion that the application must be designated for hearing on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operation of Mount Lassen Radio and Television Broadcasting Company and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Mount Lassen Radio and Television Broadcasting Company would involve objectionable interference with Station KFIV, Modesto, California, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program service which would be broadcast by Mount Lassen Radio and Television Broadcasting Company and whether the program service would be in

the public interest.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That Modesto Broadcasting Company, licensee of Station KFIV, Modesto, California, is made a party to the proceeding.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to \$1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission. in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this

Released: July 1, 1959.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS. Secretary.

[F.R. Doc. 59-5599; Filed, July 6, 1959; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-4791]

BROOKRIDGE DEVELOPMENT CORP.

Order Cancelling Hearing

JUNE 30, 1959.

The Commission by order dated June 15, 1959, having ordered that a hearing in the above-entitled matter, pursuant to section 3(b) of the Securities Act of 1933, as amended, and the applicable provisions thereunder, commence on July 28, 1959 at 10:00 a.m., at the New York Regional Office of the Commission, and

The Company having requested a withdrawal of its request for a hearing and the Division of Corporation Finance not objecting hereto,

It is ordered, That the request for hearing be and it hereby is deemed withdrawn.

It is further ordered. That the hearing scheduled for July 28, 1959 be and it hereby is cancelled.

Pursuant to the provisions of Rule 261(b) of Regulation A, the suspension of the Regulation A exemption from registration under the Securities Act of 1933, as amended, with respect to the proposed public offering of securities by the Company becomes permanent.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 59-5585; Filed, July 6, 1959; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-135]

WALTER REED ARMY INSTITUTE OF RESEARCH

Notice of Application for Utilization Facility License

Please take notice that Walter Reed Army Institute of Research, Washington, D.C., under sections, 104 a. and c. of the Atomic Energy Act of 1954, has submitted an application for a license to construct and operate a 50-kilowatt (thermal), Atomics International Model L-54 homogeneous solution-type medical research and treatment reactor at

the Walter Reed Army Medical Center lication is available for public inspection in the AEC Public Document Room, located at 1717 H Street NW., Washington. D.C.

Dated at Germantown, Md., this 26th day of June 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division
of Licensing and Regulation.

[F.R. Doc. 59-5581; Filed, July 6, 1959; 8:45 a.m.]

[Docket No. 50-10]

COMMONWEALTH EDISON CO.

Order Postponing Hearing

On June 4, 1959, the Commission issued a Notice of Hearing on the application for a facility license filed by Commonwealth Edison Company (Commonwealth) and provided for a hearing to be held on July 9, 1959 at 10:30 a.m. in the Auditorium of the AEC Headquarters, Germantown, Maryland. In accordance with the Notice and on June 24, 1959, Commonwealth filed its answers to the issues specified by the Commission for consideration.

On July 2, 1959, Commonwealth and the staff filed with the undersigned a joint request for a postponement of hearing until July 16, 1959 and a request for a pre-hearing conference on July 10, 1959.

• The Presiding Officer finds: Good cause appears for a postponement of the hearing from July 9, 1959 to July 16, 1959 and for the convening of a pre-hearing conference on July 10, 1959.

The Presiding Officer orders:

A. The hearing on the application filed by Commonwealth Edison Company for a facility license in this proceeding is postponed from July 9, 1959 and in lieu thereof shall convene at 10:30 a.m., e.d.t., on July 16, 1959 in the Auditorium of the AEC Headquarters, Germantown, Maryland.

B. A pre-hearing conference in this proceeding shall be convened at 10:30 a.m., e.d.t., on July 10, 1959, in the Press Room of the Auditorium of the AEC Headquarters, Germantown, Maryland.

Dated this 2d day of July 1959.

Samuel W. Jensch, Presiding Officer.

[F.R. Doc. 59-5653; Filed, July 6, 1959;

CUMULATIVE CODIFICATION GUIDE—JULY

A numerical list of the parts of the Code of Federal Regulations affected by documents published to date during July. Proposed rules, as opposed to final actions, are identified as such.

O CED	Page	14 CER_Continued Page 29 CED	Page
3 CFR		17 Cin-Commoed 5 30 CFR	_
Proclamations:		602 5336 3	
3301	5327		5370
5 CFR		Proposed rules: 40 5494 39 CFR	
25	5327	1 10	5467
325	5357	1 40	0101
		425424 42 CFR	
6 CFR		15 CFR 401	5335
10		230 5332 Proposed rules:	
421	5437	16 CFR 400	5345
7 CFR		13 5365, 5366, 5416, 5417, 5467 401	5345
51	5357		
52			
330	5363	1 5366 Public land orders:	
728		2 5366 19	5420
813	5329	31 5367 1045	5418
845	5363	21 CFR 1086	
863	5364		
904	5329	Proposed rules: 1886	5418
922		465391 1888	5418
934	5329	120 5345, 5423	5419
936 5330, 5331, 5461	-5465	1305391	5419
953 5413		25 CFR 1891	5420
957	5413	2215367 1892	5420
973			0110
990		26 (1954) CFR 46 CFR	
992 Proposed rules:	5414	1 5368 Proposed rules:	
52	5372	29 CFR 201—380	5422
53		681 5466 47 CFR	
55			
925			E946
933	5391	875 5333	5346 5346
961	5479		0340
	•	2025369 49 CFR	
14 CFR		2035345, 5369, 5467 156	5469
		1 .	5.30
507		36 CFR 50 CFR	
600		13 5335 111	5335
601	5336	20 5335 112	5335